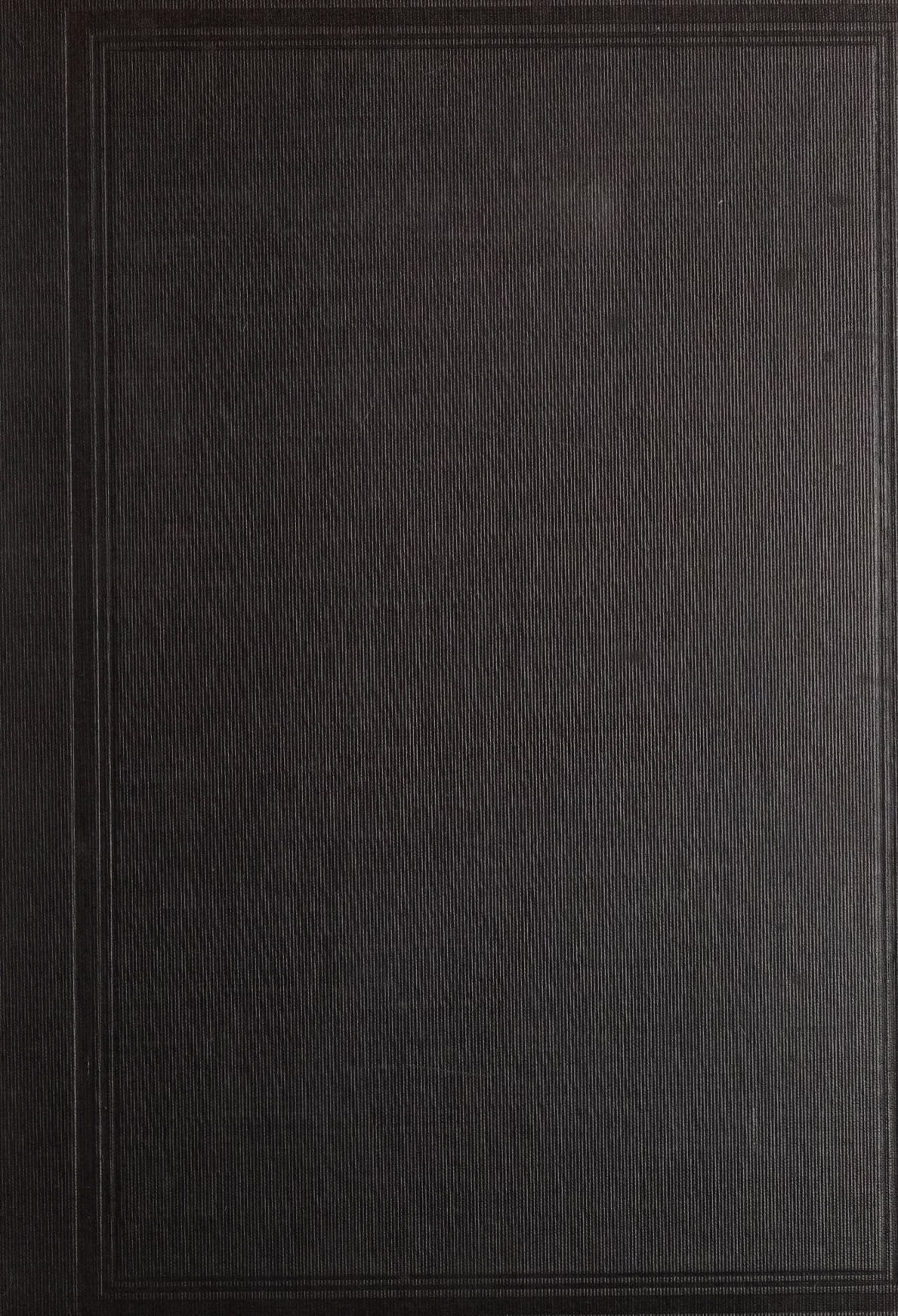




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ARCHIVES OF MARYLAND
LXI

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND
1766-1768

(29)

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J. HALL PLEASANTS
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LETTER OF TRANSMITTAL

Baltimore, December 1, 1944

To The Maryland Historical Society

GENTLEMEN :

The volume of the *Archives of Maryland* which is now presented by the Publications Committee to the Maryland Historical Society is the *Proceedings and Acts of the General Assembly of Maryland, 1766-1768*. It is the sixty-first volume of the general series and the twenty-eighth volume dealing with Assembly affairs.

The three years from 1766 to 1768 inclusive, which this volume covers, were politically tranquil except at the beginning and at the end of the period. The opening of the year 1766 saw the repeal of the Stamp Act and the subsidence of public resentment, and it was not until the close of 1768 that Maryland became fully conscious of the far reaching political implications of the recent passage by Parliament of the Townshend revenue acts, imposing duties upon tea, glass, paper and painters' colors brought into the colonies, although the import of these acts was before long to produce uproar and violence through the colonies greater than had the Stamp Act.

In the interval between the repeal of the Stamp Act and the passage of the Townshend Acts, the relations of Maryland and the mother country were excellent, and efforts were even being directed by the Lower House to make use of the Crown as a means of curbing what were looked upon by the people as encroachments upon their rights by the Lord Proprietary. Most of these grievances of the people were economic and involved the retention by the Proprietary of monies derived from various licenses, fines, duties, and taxes claimed by him under his charter, and by the people as belonging to them. There was also widespread resentment at the concentration of power at Annapolis in the hands of the Proprietary group, or what was known as the court party, the members of which held nearly all the lucrative civil and judicial offices. During the 1766-1768 period, however, these long standing conflicting claims became less vocal and the clashes between the Governor and the Upper House as representing the Proprietary interest on the one hand, and the Lower House on the other as representing the people, although no less frequent, were less acrimonious, so that these years as reflected in the Assembly may perhaps be described as politically an era of apparent good feeling. To be sure, the Lower House continued to pass controversial bills curtailing Proprietary privileges, and the Upper House to reject them, but these legislative moves were

largely to keep alive the respective claims of each side, and did not give rise to the exchange of the acrimonious messages between the two houses which had characterized preceding sessions, in which claims had been advanced with heat and rejected with scorn.

The determination on the part of the Lower House, as representing the people, was as strong as ever to secure an appropriation for the support of an agent or representative in London, who would present before the Crown their various grievances against the Lord Proprietary, in the hope that relief might be in this way secured. But, thwarted by the continued refusal of the Upper House to authorize an appropriation providing a support for such an agent, at the 1766^o session, the Lower House launched a scheme, which proved to be unsuccessful, to obtain funds for this purpose by a popular subscription and by a "Liberty Lottery".

The principal disputes between the people and the Lord Proprietary which were brought forward during this period were the disposition of license fees from ordinaries or inns and other sources, and the dispute as to whether the salary of the Clerk of the Upper House should be paid by the public or by the Proprietary, a quarrel which for ten years had held up the adoption of the Journal of Accounts and payment of the public debt. Both of these controversies were settled during this period. An opinion by Daniel Dulany, the outstanding colonial lawyer of his day and the legal advisor of the Proprietary, finally settled the dispute about the licenses, Dulany declaring that as these were not specifically reserved to him by the Charter there was no means by which the Proprietary's claim to them could under the common law be legally sustained and enforced in the courts. A compromise in regard to the payment of the salary of the Clerk of the Upper House was effected by an agreement between the two houses to refer this dispute to arbitration by the King in Council. This agreement also carried with it provision for payment of the long over-due public debt, which the Upper House had for so many years refused to approve unless the salary of its Clerk were included. To the payment of the debt on these terms the Lower House had, as a matter of principle, with equal determination refused to accede until arbitration of the salary question had been agreed upon.

In order to prepare its side of the case in the controversy over the payment of the salary of the Clerk of the Upper House, a committee of the Lower House during the recess of the Assembly demanded access to the records of the Governor and of the Privy Council. This was refused by Governor Sharpe and by the Provincial Secretary, Daniel Dulany, on the grounds that such a committee had no authority to demand the right "to rummage" at large through

these records, but Dulany said that as to any specific records requested by the gentlemen who formed the committee as *individuals*, he would be glad to furnish them copies. It may be added that nothing further was heard of this demand.

It has been said with some truth that Maryland did not react as violently against the Stamp Act as did some of the northern colonies. This is unquestionably true, but most of those who repeat this charge in a derogatory way, lose sight of the fact that the people of Maryland were more immediately interested in the century-old struggle against what they called Proprietary exactions and pretensions, which affected them both spiritually and economically, and it was to the Crown alone that they could look for possible relief from their grievances. The passage of the Stamp Act has been a jolt to this shortsighted point of view, but when American protests so promptly brought Parliamentary relief, Marylanders were ready to forget their grievances against the mother country and to again take up their quarrels with the Proprietary. Echoes of the Stamp Act excitement are to be found in the proceedings of the Assembly in 1766. A bill to reimburse the Annapolis stamp distributor, Zachariah Hood, who had been hanged in effigy, for damages done to his property by the mob, and also for the payment of damages to the owner of the house which he rented as an office, passed both houses apparently without dissenting votes.

The Lower House bill, known as the "Act of Gratitude", in which was expressed the appreciation of the Province to those leaders in Parliament who had opposed the passage of the Stamp Act and helped to secure its repeal, would certainly also have passed the Upper House, had there not been an impasse between the two houses, not as to the principle involved, but because under the bill the Lower House not only assumed exclusive control of its administration, but refused to allow the upper chamber to make any amendments whatever in it on the ground that it was a bill appropriating money. Under the terms of the rejected "Act of Gratitude" a marble statue of Pitt, Earl of Chatham, and a portrait of Platt, Lord Camden, were to be ordered and set up in Annapolis; and incorporated in it were resolutions expressive of the esteem in which were held certain other prominent members of Parliament named in the measure who aided repeal. Both houses, however, sent separate addresses to George III, thanking him for his aid in furthering repeal.

Towards the close of our three-year period, Parliament passed the Townshend Acts, imposing import duties on tea and various other articles brought into the colonies, but as these acts had not yet been enforced, their far reaching significance was not appreciated, and little attention was paid to them until a letter from the Massachusetts House of Representatives relating to them was

received and gave rise to violent repercussions. This was a circular letter, addressed to the lower branches of the assemblies of all the American colonies suggesting that concerted action be taken against the Townshend Acts. Even this letter did not stir up the Maryland delegates when it was first read at the opening of the 1768 session, for we find no attention was paid to it until just at the close of the session, when a message from Governor Sharpe in regard to the Massachusetts letter produced rather dramatic results. Sharpe stated that he had just received a command from the King to order the Lower House to pay no attention to the seditious Massachusetts letter and to make no reply to it. Resolutions indignantly protesting against these commands were at once passed and a petition of protest to the King was adopted. The Speaker was directed to reply favorably to the suggestion of the Massachusetts House. Sharpe then addressed the Assembly, telling the Lower House that the King had further commanded him to dissolve the Assembly, if the house were disposed to take favorable action upon the seditious letter, and he thereupon prorogued it. But prorogation came a little late, as the resolution and the petition to the King had already been adopted, and an order passed directing the Speaker to reply sympathetically to the communication from Massachusetts.

A number of matters of great importance to the Province were considered and acted upon by the Assembly at the sessions held during the 1766-1768 period. Perhaps the most important of these was the passage in 1766 of an act providing for the payment of the public debt, accumulated over a ten-year period, which had reached in amount 8,800,000 pounds of tobacco, equivalent to £55,000 Maryland current money or £41,250 sterling. Too large to be paid by public levy, provision was made for its payment by the issue of ten-year Bills of Credit in the form of paper currency. These were more than amply secured by Bank of England Stock and uninvested funds owned by the Province in the hands of trustees in London, the stock alone having a market value of over £41,000 sterling; to this as a sinking fund there were to be added the annual dividends on the stock. While the credit of some of the colonies had become so bad that Parliament had recently passed an act prohibiting the issuance in the colonies of paper money for use as legal tender, the credit of Maryland, amply secured as it was, had, and continued to have, high standing until the Revolution demoralized all American currencies. It is of interest that previous issues of Bills of Credit had been in terms of pounds and shillings, Provincial currency. This new issue of paper money, to run for ten years, was issued in terms of *dollars*, at the rate of four shillings six pence sterling to the dollar.

A number of bills relating to parishes and churches were passed, most of these providing for the erection of new churches and chapels of ease. It was

during this period that a serious attempt was made to exercise some degree of supervision and control over the clergy of the Established Church. These owed their appointments to the Proprietary, and once installed, could not be removed, even when they proved unworthy of the positions which they held. Several instances of flagrant misbehavior by the rectors of Maryland parishes became notorious during this period. An effort was made at the 1768 Assembly to secure the passage of an act providing supervision and regulation of the clergy by a commission to be appointed by the Governor, headed by him and having on it both clerical and lay representatives, but it was not until later that such legislation was secured. A curious act was one passed at the 1768 session, which released a clergyman in prison for debt, with the proviso that the greater part of his salary as rector should be paid over to his creditors until the debts were liquidated.

It was during this period that provision was first made in Maryland for the institutional care of the poor, the ill, and the mentally defective in alms houses, and for the custody of vagrants and beggars in work houses, which were to be erected in five of the wealthier counties. Before this the poor and dependent sick had been placed out for care in private families, and the cost of this care paid for by the several counties.

Although attempts had been made at recent sessions to secure the passage of fish conservation measures, it was not until this period that legislation was finally obtained prohibiting the erection of dams and fish weirs on the Susquehanna, Potomac, and Patuxent rivers, which prevented the passage of fish up and down these streams. These acts passed at the 1768 session were the first Maryland laws for the conservation of its natural resources.

It was in this period that the last remnants of members of the once powerful tribe of Nanticoke Indians left Maryland. The migration of the Nanticokes from Dorchester County to the headwaters of the Susquehanna River in New York to join their brothers of the Six Nations had been steadily going on for the two previous decades. It was in the year 1766 that the last pitiful remnants of this tribe left the Province to join their tribe in New York. An act was passed paying a small sum of money to the tribe for relinquishing any rights they might have in their Maryland reservations.

The first public health law, one providing for a quarantine against infected ships, was passed in the year 1766. Epidemics had been introduced into the Province by overcrowded ships bringing felons from English jails to be sold as servants to the planters. The passage of the Quarantine Law was bitterly resented by the English contractors who made large profits from the shipment and sale of these criminals, and efforts, fortunately unsuccessful, were made

in England to have the law as passed by the Assembly annulled by the Proprietary, and when he refused, by the Crown.

An act relating to the marriage of Charles Carroll of Carrollton arouses one's interest. A bill was introduced and passed at the 1768 Assembly under which Mary Darnall, then a girl of nineteen years, in consideration of a settlement upon her of £300 a year by her prospective husband, waived all her dower rights. Nowhere in the bill is the name of her husband-to-be disclosed. It would appear that the wedding was actually held up for a few days until the act was finally passed. The reason why Daniel Dulany voted against the bill on legal grounds are of interest and are explained in the Introduction.

Baltimore Town is brought to our attention by the passage of two acts affecting it. Petitions were circulated throughout Baltimore County, which then included what is now Harford and parts of Carroll counties, seeking to have the county seat removed from the dying town of Joppa to the rapidly growing Baltimore Town. These petitions, asking for the removal of the county seat from Joppa to Baltimore, bore the names of 2271 signers. Many of these were Germans living in Baltimore Town and the sections to the west of the town. Petitions were circulated in both English and German. Petitions opposing removal were also presented bearing the names of 901 signers. Most of these, as one would expect, were residents of what is now Harford County. Hearings were held before the Assembly and an act passed, authorizing the removal of the county seat, and the erection of the court house and prison in Baltimore Town. Better accommodations for suitors, witnesses, and jurymen in Baltimore with its many inns and the increasing population of this part of the county, and the inadequate and delapidated court house at Joppa, were among the reasons urged for removal. Also showing the increasing importance of Baltimore as a commercial center and port, was the passage in 1768 of an act providing for the inspection and grading of flour and various other commodities dealt in there. It was to the rapidly developing export trade in flour that Baltimore largely owed its prosperity at this date.

Disputed elections of delegates from Baltimore County resulted in the four members returned as elected from this county, being on two separate occasions unseated. In the first instance the Lower House declared their seats vacated because liquor had been so freely used among the voters on election day as to be construed a form of election bribery. In the second instance, in 1769, it appears that the sheriff had not properly conducted the election. The details of these irregular elections as revealed at hearings before the house are amusing.

The output of legislation for this three year period was sixty-four acts passed; these were general laws, local laws and private laws. In addition one act was passed by both houses which received the veto of Governor Sharpe,

acting under orders from the Lord Proprietary. Many of these acts were not new laws but were continuances of old laws about to expire, or acts supplementary to existing laws. Some nine bills which passed the Lower House were rejected in the upper chamber. Bills thus rejected will usually be found to have more significance, politically, economically, and socially, as regards future trends, than those which are readily agreed upon by a body such as the Lower House and the Upper House representing the vested interests of the Lord Proprietary.

We owe to no less a personage than Thomas Jefferson the only contemporary description, and that an amusing one, which has come down to us, of a meeting of a pre-Revolutionary Maryland General Assembly. This was written by Jefferson, when in May, 1766, as a young man of twenty-three, he for the first time left the bounds of Virginia, and visited Annapolis, Philadelphia, and New York. That he held no mean opinion of the House of Burgesses of his beloved Virginia is shown by what he characteristically said of it when first elected a burgess some three years later. It was, he declared, "the most distinguished body of men ever assembled to legislate". It would indeed have been impossible for another Colonial legislative assembly to measure up to such a standard, and certainly in his opinion, as will be seen, Maryland fell far short of it. Jefferson wrote from Annapolis, on May 25, 1766, just two days before the May session of this year came to an end, his impression of the spectacle he had just witnessed. The letter from which this description of the meeting of the Maryland House was taken was addressed by Jefferson to a cousin, John Page of Virginia. It will be found reprinted in full in the *Bulletin of the New York Public Library* (Vol. II, 1898, page 176-177).

"I will now give you some account of what I have seen in this metropolis. The assembly happens to be sitting at this time. Their upper and lower house, as they call them, sit in different houses. I went into the lower, sitting in an old courthouse, which, judging from it's form and appearance, was built in the year one. I was surprised on approaching it to hear as great a noise and hubbub as you will usually observe at a publick meeting of the planters in Virginia. The first object which struck me after my entrance was the figure of a little old man dressed but indifferently, with a yellow queue wig on, and mounted in the judge's chair. This the gentleman who walked with me informed me was the speaker, a man of a very fair character, but who by the bye has very little the air of a speaker. At one of the justices' bench stood a man whom in another place I should from his dress and phis have taken for Goodall the lawyer in Williamsburgh, reading a bill then before the house with a schoolboy tone and an abrupt pause at every half dozen words. This I found to be the clerk of the assembly. The mob (for such was their appearance) sat covered on the justices' and lawyers' benches, and were divided into little clubs amusing themselves in the common chit chat way. I was surprised to see them address the

speaker without rising from their seats, and three, four, and five at a time without being checked. When a motion was made, the speaker instead of putting the question in the usual form, only asked the gentlemen whether they chose that such or such a thing be done, and was answered by a yes sir, or no sir: and tho' the voices appeared frequently to be divided, they never would go to the trouble of dividing the house, but the clerk entered the resolutions, I supposed, as he thought proper. In short everything seems to be carried without the house in general's knowing what was proposed."

It would appear from Jefferson's account that the disorder which still marks the closing days of a legislative session of the House of Delegates of Maryland has a tradition of at least some two centuries behind it. Oversensitive Marylanders will perhaps be not a little shocked by his description of that Eastern Shore aristocrat Speaker Robert Lloyd of "Hope", Queen Anne's County, as "the figure of a little old man dressed but indifferently with a yellow queue wig on . . . and with very little the air of a speaker". It also seems fair to assume that the reader of the bill "with a schoolboy tone and an abrupt pause at every half dozen words" was Turbutt Wright, Clerk of the house.

Another figure of much greater importance in colonial public affairs than the then comparatively unknown Jefferson, also crossed the scene of Maryland politics at this period. This was Benjamin Franklin. A war of pamphleteers was waged in the years 1764 and 1765 between the popular party and the Upper House which voiced the Proprietary interests. An especially violent attack upon the Proprietary government of Maryland was made in 1764 in a pamphlet *Remarks upon a Message*, written by an anonymous author, or authors, and without indication as to where it was printed. Proof has recently come to light showing that this was printed by the firm of Franklin & Hall of Philadelphia, and there is some reason to believe that Franklin himself may have had a hand in its writing. He was then the leader in the movement to have the Crown put an end to the Proprietary government of the Penns in Pennsylvania, and it was obviously to his interest to discredit this anachronistic form of government in an adjoining province.

There will be found discussed in the Introduction the more important matters which came before the General Assembly and the laws which were passed during the period covered by this volume. These are listed in the Table of Contents. The source material used in the preparation of the volume is identical with that which has been described in the Letter of Transmittal of Volume LIX of the *Archives*, to which the interested reader is referred. As has been customary in preceding volumes of the Assembly series when messages and addresses are recorded in the journals of both houses, they are printed, if short, in the proceedings of both houses, but if long, they are printed in full in the

proceedings of the house in which they originated, only the opening paragraph being reproduced in the proceedings of the house to which they are addressed. The material to be found in the Appendix, which is derived from various sources, relates directly to Assembly affairs.

The Committee on Publications is indebted to Dr. Elizabeth Merritt for the preparation of the index of this volume; and to Mrs. Vivian E. Barnes for her help in preparing the copy, in reading the proof, and in locating the material which appears in the Appendix.

There has been great difficulty in deciphering many signatures among the thirty-three hundred and more inhabitants of Baltimore County who signed the petitions for and against the removal of the county seat from Joppa to Baltimore Town, and the petition for authority to employ an organist at St. Paul's Church. Many of the names in German script are illegible and others can only be read with great difficulty. The editor is indebted for invaluable help in deciphering these names to Mr. Charles T. Zahn, whose knowledge of Maryland names of German origin is outstanding. He is also indebted to Mr. William B. Marye, whose familiarity with eighteenth century Baltimore County names is unique, for interpreting many English names that to the less informed reader are undecipherable.

The next volume of the Archives will be the *Proceedings and Acts of the General Assembly 1769-1770*.

Respectfully submitted,

KENT ROBERTS GREENFIELD,

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RAPHAEL SEMMES,

Committee on Publications.

INTRODUCTION

During the 1766-1768 period there were three sessions of the General Assembly. Two of these were held in the year 1766 and one in 1768. The session held in May, 1766, was a short one, consideration of most of the business before the Assembly being deferred until the November-December meeting. There was no session in 1767, but at the close of the year a new Assembly was elected. It was this new Assembly which held its first meeting in the early summer of 1768. On the whole the relations between the Lower House representing the people at large on one hand, and the Governor and Upper House representing the interests of Frederick, Lord Baltimore, the Proprietary, on the other, were less unfriendly than they had been for several years.

SESSION OF MAY, 1766

The session of the Assembly which had come to an end on December 20, 1765, was prorogued by Governor Sharpe to meet again on the first Monday in March, 1766 (*Arch. Md.* LIX, 261). But the Governor, on February 10th, postponed the date of meeting, and prorogued it until May 5th. Evidently, when that day arrived, there were not sufficient numbers of the Lower House present for holding a meeting as it was on four successive days again prorogued until it finally began its session on May 9, 1766, with thirty-six of the fifty-eight delegates present (*Arch. Md.* XXXII, 118). This was the third meeting of the Assembly which had been elected in the autumn of 1764.

Nine members of the Upper House were present at various times during this May session. Col. Edward Lloyd of Wye House, a councillor since 1743, did not once take his seat. The two vacancies caused by the deaths of Philip Key and Stephen Bordley, had not yet been filled. James Holliday had been offered one of these seats in the Council and the Upper House, but had declined appointment (*Arch. Md.* XIV, 188, 202, 208, 217, 281, 311). Appointment to the Council of course carried with it a seat in the Upper House as the personnel of the two bodies was identical.

During the last session Col. Henry Travers, a delegate from Dorchester County, had died (*Arch. Md.* LIX, 251), and Col. John Henry, who had been elected in his place, was sworn in (p. 4). No other change in the personnel of the Lower House had occurred since the previous meeting.

The session opened in the usual way (pp. 17-18). The Lower House sent two of its members to notify the Governor that there was present in the Stadt House "A Sufficient number of Delegates to compose a Lower House". Two members of the Upper House were then sent to acquaint the Speaker that the Governor required the immediate attendance of the Lower House in the Upper House (pp. 17-19). Here Sharpe delivered a speech to the members of both houses. He said that he had called a session at this time because he had found by experience that many members could not attend at the season of the year

when the preceding Assembly had been held (November–December), and that he hoped that the one now opened would be more convenient for the members of both houses to frame such new acts and to continue such old laws, now about to expire, as the present circumstances of the country required. The Governor did not doubt but that the proceedings would show “that you come together with minds sincerely disposed to Promote the Tranquility and Welfare of the Province”, (p. 18). Upon retiring, the Lower House had the speech read to them and ordered that it lie upon the table.

The Lower House then requested the Reverend Mr. Robert Read to read Divine Service at nine o'clock in the morning and at five in the afternoon during the session (p. 138). Robert Read [Reade], who had succeeded the Reverend David Love as chaplain of the Lower House, was a Virginian by birth, had been educated at William and Mary College, Williamsburg, and was apparently but a recent arrival in Maryland at the time of his appointment to read “Divine Service” twice daily to the Lower House. He seems to have held no clerical charge in Maryland at this time, although he may have been serving temporarily as a curate in one of the neighboring parishes. It may be added that on January 13, 1767, he was licensed by Governor Sharpe to preach in Coventry Parish, Somerset and Worcester Counties; on November 9, 1767, he was inducted as rector of All Hallows', Worcester County; less than a month later he became rector of St. Paul's Parish, Kent County; and in 1774, is known to have also been conducting a school in Kent not far from Rock Hall (*Md. Hist. Mag.* XXVI, 1931; 355, 356).

The Governor's speech was read a second time in the Lower House, and a committee of seven, headed by William Murdock of Prince George's, was ordered to prepare an address in reply. The address thus prepared was presented and adopted on the day following, and delivered to the Governor in the Conference Chamber. The usual formal thanks were returned to his Excellency for his speech. The address disclosed, however, that the members did not agree with the Governor that May was the best season to call them together. The members saw no reason why they might not have been called together towards the end of September or early in October as less inconvenient to them, although “his good intention” was not doubted. It was hoped that their proceedings would justify the favorable opinion the Governor held of their good intentions (pp. 20-21). The Upper House, in its address, simply thanked the Governor for calling them together upon the “Supposition that it would be more Convenient for the Members in General to meet now than later”, and that they would embrace the opportunity to pass such laws as would promote the welfare of the Province (p. 4). The Governor, evidently surprised that his selection of the time of meeting had not been favorably received by the Lower House, sent a message thanking the house for its address, and saying, “I thought that in meeting you at this time I was gratifying the desire of your Constituents and taking a step that would be very agreeable to yourselves” (p. 22).

Col. Robert Lloyd of “Hope”, Queen Anne's County, continued as Speaker, and Michael Macnemara as Clerk of the Lower House, as did Robert Saunders and Cornelius Howard as Sergeant-at-arms and Doorkeeper, respectively. Dr.

Upton Scott was the Clerk of the Upper House and of the Council. On the opening day of the session the Lower House adopted the rules of order which had been used at preceding sessions. On the same day it appointed on its important Committee on Accounts John Goldsborough of Talbot, Daniel Sullivan of Dorchester, Thomas Wright of Queen Anne's, John Hanson, Jr., of Charles, and Robert Goldsborough of Dorchester (p. 19). Thomas Duckett was appointed clerk of this committee (p. 22). This committee would have charge of the preparation of the Journal of Accounts which had been for the past ten years the cause of perhaps the most acrimonious disputes between the two houses. On May 16, the Lower House ordered the Committee on Accounts to close the Journal as of May 20th, and to receive no claims against the public thereafter (p. 26). A large committee of twelve, headed by Robert Tyler of Prince George's, and to which additional members were later added, was appointed to "Inspect and Report upon the Condition of the Papers and Records in the various Public Offices," and to submit "an exact List of the several books of Record remaining in the separate Offices." Two additional members were later added to this large committee (pp. 23, 25). The report of the committee disclosing the neglect of the public records will be discussed elsewhere (pp. lxxxiv-lxxxv, 18, 23, 33-46, 61, 62).

On motion of Colonel Edward Tilghman of Queen Anne's, an outstanding popular leader in the house, an old and acrimonious dispute between the Lord Proprietary and the Lower House which had for more than a half century been productive of much ill-feeling, was tossed into the legislative hopper. This involved the Proprietary's claim to various licenses, fines, and forfeitures, as well as to part of the 12 pence export duty on tobacco, and a committee was ordered to inquire under what laws he claimed and received these monies. A large committee was appointed, headed by Colonel Edward Tilghman, and on it with other prominent members of the country or popular party are especially to be noted Hammond, Hollyday, John Hall (of Annapolis), John Hall (of Baltimore County), Chase, Ringgold, Murdock, Wolstenholme, Wilson, Worthington, Hanson, and Henry Hall, with power to summon witnesses, and obtain all necessary papers and records for their inquiry, and to report to the house (p. 21). That the house exceeded its authority in attempting to clothe its committee with these plenary powers of search will be seen from what followed. A committee of three was appointed to inquire what laws were about to expire by time limitations, headed by John Goldsborough (p. 22).

Anne Arundel County jail conditions. A committee on Aggrievances and Courts of Justice, headed by Murdock, was appointed, to which additional members were later added (pp. 20, 27). This committee was directed to investigate immediately the charges brought by the prisoners in the Anne Arundel County jail in regard to deplorable conditions existing there (p. 27). The committee promptly reported that it had inquired into the facts alleged in the petition of the prisoners (doubtless nearly all prisoners for debt), and that upon visiting the jail, had found that it "is kept so filthy and Nasty that it is excessively Nauseous In so much that Your Committee are Apprehensive that the Prisoners are in Great danger from its offensive Stench." In the absence

of the Sheriff who was then out of town, the committee had learned from the Jailer that the prisoners had no allowance of "vittles", but were each allowed for sustenance only thirteen "coppers" a week and salt and water, until a week before, when two "coppers" had been added for their whole maintenance; and that but four cords of wood had been allowed them since Christmas, nearly five months before, and that they had been kept without wood, except what they could beg from passersby from the prison windows ever since the month of March; that they have no other means to spend their allowance for provisions "but by entrusting it to Passers bye and therefore they are constrained to lay it out in Bakers Bread, the small quantity of which that can be Purchased for their Allowance they Assert, and your Committee believe, is not Sufficient of itself to support Nature" (pp. 27-28). On reading the report of the committee, the house ordered that the Sergeant-at-arms summon Joseph Galloway, Esq., High Sheriff of Anne Arundel County, before the bar of the house to answer the complaint of the prisoners. Galloway seems to have once eluded the Sergeant-at-arms, but was finally brought before the bar of the house, where he and various witnesses were heard (p. 47). The house thereupon resolved that "the said Joseph Galloway hath not complied with his Duty as Sheriff and that he be Acquainted therewith by the Speaker with a Caution to be more careful in Discharge of his Duty in relation to the Prisoners and Public Gaol for the future." The only punishment inflicted upon him was the requirement that he pay the usual fee to the officers of the Lower House for the trouble which had been given them in summoning witnesses (p. 49). Three years later similar charges were brought by the Lower House against Richard Lee, Sheriff of St Mary's County, for conditions found in the jail of that county (*Votes and Proceeding of the Lower House for 1769*, p. 235).

Licences from ordinaries and hawkers and pedlars. The long standing grievances between the Proprietary and the people were again brought before the Lower House when, on May 17th, on motion of Thomas Ringgold, a committee of three, headed by Ringgold, with Johnson and John Hall as associates, was ordered to bring in a bill for regulating ordinaries or inns; and on the same day a committee of five, also headed by Ringgold, with Wilson, Hollyday, John Hall, and Chase, were ordered to bring in a bill for licensing hawkers and peddlers. The constitutional question at issue in both these bills was of course the claim of the Proprietary that the license fees and fines belonged to him and not to the public (pp. cii-cv, 22). The bills were brought in a few days later. It seemed likely that the bill for licensing ordinaries stood a good chance for passage at this session, since Daniel Dulany recently had given his opinion to the Proprietary that there was no legal means by which the latter could enforce payment to himself of these licenses and fines. But the bill as passed by the Lower House at this May, 1766, session, of which there is no copy, was amended in so many details by the Upper House, that when returned it was rejected by the lower chamber (pp. 22, 27, 30, 48, 49-50, 59-60). It was to come up again at the next session and once more to meet a similar fate, but to be finally passed at the 1768 Assembly.

Baltimore Town. Two petitions from inhabitants of Baltimore Town were

presented at this session which were not then acted upon but did receive favorable action at later sessions. One of these was from the inhabitants of Baltimore Town asking relief from a miry marsh (Harrison's Marsh) which was a serious nuisance to the town (pp. 6, 28, 55, 62). At the session held later in 1766 legislation was secured which resulted in the filling in of the marsh and making the reclaimed land an addition to the town (pp. xc-xci). The other petition was from the merchants of Baltimore, upon which no action was taken at this session nor at the session held later in the year, but which did result in the passage in 1768 of a law for the inspection of flour and various other commodities sold in Baltimore or shipped from it (pp. xxxix, lii, 445-453).

The Journal of Accounts providing for payment of the Provincial debt, which had been accumulating for ten years, came up again at this session but action upon it was not taken until the November-December Assembly (pp. 11, 12, 26, 55, 58). It is discussed fully in a later section of this Introduction (pp. lxiii-lxvi). A resolve of the Lower House at this session which came to have the effect of a standing rule, was that "for the future this House will not take into Consideration any Petition from Inhabitants of any County or Parish relative to the imposing any kind of Taxes or erecting any publick Buildings or other matter any way respecting the general interest", unless the petition be advertised at all churches, chapels and at the Court house of the county for at least two months before presentation (pp. 63-64).

Stamp Act echoes. On May 21, 1766, Edward Tilghman moved, and it was so ordered, that the Lower House take under consideration "the Noble, generous, and Spirited Conduct of the friends of Liberty in Great Britain in Support of the Interests of America", but after discussion, consideration of the question was postponed until the next session, when it was expected that the house would have further information for its guidance (pp. 46, 60). The journals of the next session reveal that the Lower House wished to express its appreciation and gratitude to Pitt and Camden and other "Friends of Liberty" in the Parliament of Great Britain for their help in bringing about the repeal of the Stamp Act (pp. lviii-lix). At this session the perennial bill for the support of a provincial agent in Great Britain was again passed by the Lower House and rejected by the upper chamber (pp. 52, 12, 58). Another bill in controversy between the two houses, that for licensing hawkers and peddlers, already mentioned in a preceding paragraph, was passed in the Lower House by a vote of 27 to 10, but was rejected in this house after the upper chamber had amended it in several particulars, one amendment providing that the license money should be used as the Assembly might direct, instead of being used for the public schools as the Lower House wished (pp. 25, 32, 8, 53).

Another echo of the Stamp Act excitement is to be found in the action of the Lower House on May 20, 1766, when a letter addressed to Murdock, Tilghman, and Ringgold, the Maryland representatives at the Stamp Act Congress held in New York in October, 1765, from James Otis of Massachusetts, asking their help in having "an Allowance made to the Clerk of the late Congress at New York by this Province", was referred to the General Assembly, but the house resolved that it would make no further allowances than those already

granted (pp. 38-39). The failure of Jonas Green, the public printer, to insert in the printed *Votes and Proceedings* of the Lower House for the preceding session certain accounts of the clerks of the Upper House brought him before the bar of the house, and resulted in his narrowly escaping censure (pp. lxxxiv, 23). At this session numerous imprisoned debtors petitioned the Assembly for relief. Many of these had their names included in the bill which was passed for the relief of various languishing prisoners (pp. 9-10, 24-25, 26, 29, 30, 47, 50, 52-53, 68-73). A bill of a more general character for the benefit of insolvent debtors was also introduced at this session, but consideration of it was postponed until the next Assembly (pp. 26, 58). Petitions from sundry militia officers asking for back pay for services in the late war were presented (pp. 7, 9, 32, 53, 54, 55). The committee appointed to inspect the public offices and records made a very full report which was presented to the Lower House on May 21st. This report showed that it had done its work thoroughly. It was especially severe in its criticism of the way in which the records were kept and transcribed in the Commissary's office and in the Land Office. Appended to the report was a very long list itemizing the various libers to be found in the several offices, which is really a full inventory of the public records of the Province (pp. 33-46). This report will be discussed at greater length in a later section of this Introduction (pp. lxxxiii-lxxxiv).

Legislation. At this short, May, 1766, session, eight acts were passed, of which five were general laws, one a local law, and two private laws. Only one of all of these may be considered of much importance—that for the trial of matters of fact in the counties where they had arisen, which will be presently referred to. One of the general laws, that to prevent disabled and superannuated slaves being set free, was a continuance of an old law (p. 66). Another act, supplementary to “An Act for the speedy trial of criminals and ascertaining their punishments”, provided that legal costs incurred in the criminal prosecution of negro slaves be charged to the several counties (pp. 82-83). The act for the relief of various languishing prisoners in the several county jails released thirty-two insolvent debtors, two of them women, and was identical in phraseology with similar acts passed at preceding sessions (pp. 68-73). The Act for “reviving and continuing of actions and processes in several of the courts”, which were depending in the High Court of Appeals held in February and in the nine county courts named in the act held in November or March last, revived and continued all such actions to future dates named in the act (pp. 83-84). This act was made necessary because the courts had not functioned during the Stamp Act excitement.

The act “*for the trial of matters of fact in the several counties where they had arisen*” was passed after a controversy between the two houses extending over a period of many years. The Lower House insisted that the trial of facts in the neighborhood where they arose was essential to the security of the lives, liberties, fortunes, and estates of the people, and was in conformity with the British Constitution, and that holding the trials in the Provincial Court in Annapolis was not only unjustified on these grounds but also added

to the delay and expense. The act provided that all cases, whether criminal or civil, which existing law required to be tried in the Provincial Court, might be heard before two itinerant justices of the Provincial Court to be designated by the Governor, sitting in the various counties as justices of assize, nisi prius, and of oyer and termina and jail delivery. These courts were, however, not to encroach upon the existing jurisdiction of the county courts. The act, a lengthy one, made detailed provisions as to the time and place of holding court, the qualifications and duties of grand and petit jurors, the summoning of witnesses, and reference of doubtful cases to the Provincial Court itself (pp. 75-82).

A local law was passed to enable the vestryment of St. Paul's Parish to nominate tobacco warehouse inspectors in Baltimore Town which, it appears, they had "omitted" to do as required by law; each vestryman, for failure to do so, was thereafter punishable by a fine of 5000 pounds of tobacco (pp. 86-87).

Two *private acts* were passed. One of these directed the recording of the will of Brigadier General Henry Bouquet in the Prerogative Court at Annapolis. Bouquet, who had served with distinction in the Seven Years War, had died in Philadelphia, June 25, 1763, leaving his entire estate to Frederick Haldimand, who petitioned the Assembly for authority to record the will in Maryland (p. 9, 54, 55). The act was passed to validate Bouquet's bequest to Haldimand of lands in Maryland belonging to him (pp. 73-74). It will be realized that in 1762, the Assembly had passed an act naturalizing Bouquet, a "foreigner of the Reformed or Protestant Religion", and it was necessary that he be naturalized so that he might legally hold a tract of over 4000 acres near Elizabeth Town (Hagerstown), called "Long Meadow Enlarged", which he had purchased from Daniel Dulany (*Arch. Md.* LVIII, xxiv-xxv, 206-207). The recording of Bouquet's will was required to give Haldimand a good title. The other private act was to vest the title in a certain lot or parcel of land in John Jeremiah Myar of Frederick County. The petition of Myar, asking for legislation in connection with the title to a certain lot on First Street in Frederick Town, had come up at the November-December, 1765, session, and a committee had been appointed to report upon it. No report was made at this session, however, but when it came up again at the May, 1766, session, it was shown that on April 14, 1762, a certain Daniel Davis entered into a contract to sell the property for £650, Pennsylvania currency, and had given bond to do so, but that Davis, having died in 1765, leaving three daughters under age, an act validating the sale was required (pp. 26, 27, 29, 30, 31, 50, 51, 66, 67).

The May Assembly remained in session only seventeen days, doubtless for the reason that has already been mentioned, that this was an inconvenient season for the members to be away from their plantations. Action upon most of the important business which came before the Assembly was deferred until the next session. On May 27, the Governor prorogued the Assembly to meet on October 27, 1766, but it did not actually come together until four days later on November 1st (p. 65).

SESSION OF NOVEMBER–DECEMBER, 1766

The May, 1766, session of the Assembly which came to an end on the 29th, had been prorogued to meet again on October 27, 1766, but doubtless because there were not "a sufficient number of delegates present to compose a Lower House", to use the conventional expression, which seems to have meant at least half the membership, it was prorogued day by day by Governor Sharpe until November 1, when it finally met (*Arch. Md.* XIV; 164-165). This was the fourth and last meeting of the Assembly which had been elected in 1764.

There was a small attendance of members of the Upper House at this session, which normally had a membership of twelve. In addition to the President, Benjamin Tasker, there were present only Benedict Calvert, Daniel Dulany, Richard Lee, John Ridout, and Henry Hooper. There were still vacancies in the Council and Upper House caused by the deaths in 1764 of Philip Key and Stephen Bordley, which had not yet been filled; and another caused by the death of Robert Jenkins Henry who had died just before the beginning of the session. Charles Hammond and Charles Goldsborough seem to have been too ill to attend, and Edward Lloyd, at odds with John Morton Jordan, the recently appointed special revenue officer of the Proprietary, absented himself as he had done at the previous session. Letters from Sharpe about this date continually urged upon the Lord Proprietary the importance of filling the vacancies, and suggested prominent persons sympathetic with the Proprietary interest from whom selections for the three vacancies might be made. Those suggested by him from whom a choice might be made were Robert Goldsborough, Walter Dulany, John Beale Bordley, Henry Hollyday, George Plater, and Charles Graham (*Arch. Md.* XIV, 333-335). Later, Bordley in 1768, and Walter Dulany, in 1767, were appointed. Before that session opened the portrait of Frederick, Lord Baltimore, and his coat of arms, which he had recently sent to be hung in the Council Chamber, where the Upper House also sat, had been received and acknowledged by Sharpe (*Arch. Md.* XIV, 273, 309).

There were a few changes in the membership of the Lower House, special elections having been held to fill three vacancies caused by death. A few days before the November–December, 1765, session came to an end, Col. Henry Travers, a member from Dorchester County, died at Annapolis of smallpox and the Lower House on December 18, ordered an election to be held to fill his place (*Arch. Md.* LIX, 251). Col. John Henry succeeded him, sitting for the first time in the November–December, 1766, Assembly (pp. 119, 191). Thomas Key of St. Mary's County was chosen at a special election held in June, 1766, to succeed his brother Edmund Key who had died May 11th. Thomas Key took his seat at the November–December, 1766, session (pp. 93, 143; *Md. Gaz.* May 8 and June 26, 1766). The committee on elections reported that the writs of election of both Henry and Key were returned although the endorsements were not duly entered (p. 203), but both elections were accepted. A writ of election was ordered November 29, 1766, to fill the vacancy caused by the death of James Heath of Baltimore County (p. 196). Heath

died on November 27 at his plantation in Baltimore County while the Assembly was in session (*Md. Gaz.* Dec. 4, 1766). The *Maryland Gazette* for Jan. 27, 1767, duly records that Captain John Hammond Dorsey was elected in the room of Mr. James Heath; but he did not take his seat, as this Assembly was dissolved before another meeting of it was held.

Sharpe opened the session with the usual opening speech delivered before both houses. He had called the Assembly together, he said, at the season which he knew was most agreeable to them, and he was persuaded they would endeavor to improve the good understanding that had subsisted between the two houses at the last session; and he assured them that it was his desire to act agreeably to their inclination, and the height of his ambition to merit their good opinion. He also told them that he had received from the King's Minister copies of the acts of Parliament lately passed to the advantage of the colonies, which he was notifying by proclamation, and he took the opportunity to congratulate them on the happy turn of affairs in favor of the colonies (p. 138). These acts of Parliament related to the repeal of the Stamp Act, and to colonial trade, and had been passed at the last Parliament (*Arch. Md.* XXXII, 150-151, 160-163).

The Lower House organized in the usual way, as has already been described at the May session (pp. 17-19), except as to the swearing in of the members. It was customary for members of the Lower House to be sworn in only at the first meeting following the election of a new Assembly, and it will be recalled that the members of this house had already been sworn at the opening of the May, 1765, session, but under an act passed by the last Parliament changing the form of one of the oaths required to be taken by all public officials, they were again sworn in before two members of the Upper House and the Clerk. This change was in the form of the oath of abjuration and assurance, which all the members took in its new form (p. 138). Michael Macnemara continued as Clerk of the Lower House. The Reverend Robert Read, who had served as chaplain of the May session, was again selected to "read Divine Service morning and afternoon" (p. 138).

The new oath of abjuration was also administered to Robert Saunders, the Sergeant-at-arms, and to Cornelius Howard, the Doorkeeper, as well as to the clerks of the several Lower House committees, viz., John Duckett, Turbutt Wright, Thomas Duckett, and Henry Wilkins.

The Lower House replied in an address to the opening speech of Governor Sharpe. The Governor was thanked for his speech, the house declaring that it was its ambition to merit his good opinion as well as the approbation of their constituents, and to preserve the harmony between the several branches of the legislature which was essentially necessary for the general interest. The house added that, although an earlier meeting of the Assembly would have been more agreeable to them, they were sensible that this would not have been practical, because the courts of law, having sat in September, this would have interfered with an earlier meeting. Sentiments of loyalty and gratitude were expressed for the King and Parliament (pp. 140-141). This last reference was of course to the repeal of the Stamp Act, only recently

announced. The Governor graciously acknowledged this address in a friendly message (p. 145).

Committees of the Lower House were then appointed as follows: The Committee on Accounts, headed by Daniel Sulivane; the Committee on Aggrievances and Courts of Justice by Edward Tilghman; the Committee to Inspect Arms and Ammunition by William Adams (p. 140); the Committee on Elections and Privileges by Henry Hollyday (p. 141); the Committee to report on Laws about to Expire by Charles Grahame; the Committee to Inquire by what Laws the Proprietary Appropriated Certain Fines and Duties by Edward Tilghman (p. 142); the Committee to Inspect the Public Offices and Records by Robert Tyler (p. 18). Special committees were appointed from time to time during the session to consider various other matters as they came up.

On November 3, 1766, "Several letters from Charles Garth Esq^r directed to the Honourable Speaker of the House of Delegates . . . were communicated by M^r Speaker, and were severally read (p. 139). As these letters from Garth, who had been appointed by the Assembly as its agent to help secure the repeal of the Stamp Act, are not entered in the Journal of the house there is some uncertainty as to whether they are identical with the two lengthy letters from Garth on the repeal of the act, dated London, February 26, 1766, and March 5, 1766, respectively, which were addressed to "Messrs, Tilghman & Murdock & Ringgold", the members of the Lower House committee, appointed to correspond with Garth at the November–December, 1765, session (*Arch. Md.* LIX, 257), and again at the May, 1766, session (p. 63). These two letters from Garth, which are now in the Library of the Maryland Historical Society, have been printed in the *Maryland Historical Magazine* VI, 1911, pp. 282-305), and are discussed elsewhere in this Introduction (p. lv). It will be noted that they are *addressed* to the members of the Lower House committee, while the letters referred to in the journal of this session are recorded as having been *directed* to the Speaker. Later in the session, on December 3, the Lower House added John Hall to the committee of three which had been appointed in 1765 to correspond with Garth during the recess of the Assembly, and the committee was directed to bring before the house the draft of an answer to Garth, to be sent to him by the house in the name of the Speaker (pp. 203, 218). This answer, when presented, was formally approved by the house, but is not to be found recorded in its journal.

The most pressing matter before the November–December, 1766, session, was, in the minds of the public, the necessity for making provision for the payment of the public debt, which had now been piling up for a period of ten years, owing to the failure of the houses to agree upon a Journal of Accounts, because of the long standing dispute between the two houses as to whether certain items, and more especially the salary of the Clerk of the Upper House, were to be paid by the Proprietary or by the public. The public debt had now reached such large proportions, and the public creditors had become so aggressively insistent, that the two houses at this session agreed to refer the dispute about the payment of the Clerk's salary to the Crown for arbitration, and to pass at once an act, with this item omitted, providing for the immediate

payment of the remainder of the large public debt, amounting to 5,623,499 pounds of tobacco and 11,904 pounds sterling. After compromising on various minor items in dispute, the Journal of Accounts, in which the various debts were listed in detail, was agreed upon, the money for this purpose to be raised by an issue of dollar bills of credit, amounting to 173,733 dollars, a "dollar" being valued at four shillings, six pence in London bills of exchange, these bills of credit to be secured by Bank of England stock held in London in the hands of trustees. This matter is discussed at greater length later in this Introduction (pp. lxiii, c-cii).

The exchange of messages and addresses between the Upper and Lower House on the one hand, and between Governor Sharpe and the two houses on the other, were at this session much fewer, shorter, and in better temper than had been the case for many years. The dispute with the mother country, aroused by the Stamp Act, for the present occupied the public mind more than did the various controversies between the people and the Proprietary. Although resolves were passed, and a few addresses were sent by the Lower House bearing upon these controversies with the Proprietary, they were largely for the purpose of keeping the record alive against "Proprietary pretensions." An exception was the still insistent demand of the Lower House that it be represented in England by a Provincial Agent, who could voice there before the Crown as arbitrator the disputes between the people and the Proprietary. Another method of keeping the record straight with the public took the form of the passage by the Lower House at this, as it had at successive previous sessions, of bills aimed at curbing "Proprietary pretensions", bills which it knew well would certainly be rejected by the Upper House. There were seventeen bills of such a kind passed by the Lower House at this session.

Acting upon a suggestion made to Sharpe by Hugh Hamersley, the Proprietary's Secretary for Maryland, that the Assembly express its gratitude to the King for the repeal of the Stamp Act, both houses adopted and sent separate addresses to King. The Upper House sent its address to the Lord Proprietary, requesting him to present this to the King (pp. lvii-lviii, 134-135, 176-177, 206). The Lower House address was transmitted to the Crown through Charles Garth, agent in London of the Lower House in Stamp Act affairs. These addresses to the King are discussed more fully later (p. lvii). The Lower House also adopted a resolution, followed by the passage of a bill, expressing its gratitude to Pitt, Camden, and Charles Garth, as well as to several other prominent men in both houses of Parliament, who had opposed the passage of the Stamp Act and had been active in securing its repeal. Known as the "Act of Gratitude", after extolling these leaders for their patriotism and expressing the profound gratitude of the people of Maryland, the bill provided for the purchase of a statue of Pitt and of a portrait of Camden, and recorded formal expressions of appreciation to various other "distinguishing worthies in the House of Peers and the House of Commons" who had opposed the Stamp Act (pp. 188-189). The Act of Gratitude to Pitt, Camden and others passed the Lower House unanimously, but was promptly rejected by the Upper House on the ostensible ground that under

the bill the Lower House sought to appropriate public money without the approval and supervision of the upper chamber (pp. 127, 128, 209-210). This is discussed later in this introduction (pp. lviii-lix).

Early in the session, on November 8, 1766, the Lower House addressed the Governor, asking him to inform the house the amount which had been collected during the past seven years from fines, amerciaments, and the twelvence export duty on tobacco (p. 148). On the same day the Governor sent a message in reply and with it a statement showing the total amount collected from fines and from the tobacco duty for eleven years, and promised to send an account showing the Provincial Court amerciaments, as soon as the figures could be obtained (p. 149). These accounts giving the figures are not entered, however, in the journal of the Lower House. On November 15th, the committee of the Lower House, headed by Edward Tilghman, appointed to inquire by what law or custom these fines, amerciaments and duties were appropriated for his own use by the Lord Proprietary and not turned over to the public, rendered a very lengthy report. This traced in detail the history of the dispute, which dated from the year 1715, when political control of the Province had been restored by the Crown to the Calvert family. The right of the people to the fines and duties was claimed under the British Constitution and the Maryland charter, as well as under subsequent legislation, and was declared by the committee to be unquestionable. With the report, to support these claims, were filed extracts from the journals of the two houses for the years 1715 and 1716 (pp. 159-167).

On November 15th, Sharpe sent a message to the Lower House that he was giving it notice in advance so as to prevent delay in the public business, that it was necessary for him to go across the Bay on the 21st or 22nd of November, and that he did not think he would be able to return until the end of the month (p. 169). In an address in reply, the Lower House declared "we expect that the Public Business will be concluded by the latter End of next week and assure your Excellency that we will exert our Endeavors for that Purpose" (pp. 169, 170). As a matter of fact, the Assembly did not adjourn until December 6th. We learn from a letter from Sharpe to Hamersley, dated November 20th, that he, together with Daniel Dulany and John Morton Jordan, the Proprietary's revenue agent, were about to cross the Bay to attend the sale of the Manor of Kent, a large Proprietary manor on the Eastern Shore, belonging to Frederick, Lord Baltimore, who at this time was disposing of his Proprietary manorial holdings in Maryland (*Arch. Md.* XIV, 348).

Sharpe, on November 17th, 1766, in a message to the Lower House, declared that during the late war he had expended £70 currency for hiring expresses sent to the frontier "on account of the Public Services", for which he felt he should be reimbursed (p. 170). It would appear that additions were made to the Journal of Accounts to carry this item (pp. 191-192).

Echoes of the Stamp Act. Again on December 18, 1766, Sharpe sent a message to the Lower House stating that he had received a letter from one of his Majesty's principal Secretaries of State, together with copies of two acts of Parliament passed at the last session, and several votes and resolves

of the House of Commons relating to the colonies, which he was sending to the Lower House for their consideration, satisfied that nowhere in the American colonies have subjects more gratitude and loyalty for the King, affectionate regard for the mother country, and respect for Parliament, than have the inhabitants of Maryland; that he had expressed those sentiments to his Majesty's minister, and he felt sure the Lower House would "not choose to fall short in any Respect of the Royal Expectations" (p. 172). None of the papers accompanying the Governor's message are recorded in the journal of the Lower House, but will be found in the Proceedings of the Council. From the wording of the reply of the Lower House there is no question that the letter of the Secretary of State referred to was the circular letter, addressed to the several colonial governors, which Sharpe had received from General H[enry] S[eymour] Conway, dated at St. James, London, March 31, 1766 (*Arch. Md.* XIV, 296-297), and to which he replied on June 27, 1766 (*ibid.* 314-315), although there are letters of about this date, from Lord Welbourne and the Duke of Richmond, relating to this same matter (*ibid.* 315, 358-359). As the result of the message from Sharpe a motion was made in the Lower House on the following day that a message to the Governor be prepared, and that this house request the Upper House to join with it in an address to the King; and a committee headed by Ringgold was appointed to prepare such an address (pp. lvii, 176). It was not, however, until December 6th, the closing day of the session, that the Lower House sent the Governor its reply to the minister's references to Stamp Act disorders. After referring to the letter of Secretary Conway, which intimated the colonies should pay any damages which had been suffered by individuals from mob violence, and appreciation of Sharpe's reply to him, the house declared that the observations made by the Secretary about serious outbreaks in the colonies resulting from the Stamp Act could not be made applicable to Maryland, as the only incident of the kind, a trivial one, which had occurred in Maryland, had been the pulling down of an old house rented to the Stamp Distributor (p. 212).

Maryland manufactures. There was an exchange of messages and addresses between the Governor and the Lower House as the result of an inquiry made by the Lords of Trade and Plantation in regard to manufacturing in the American colonies. The letter to Sharpe from the Lords, apparently a circular letter sent to all the governors, dated Whitehall, August 1, 1766, is not recorded in the journal of the house, but will be found in the proceedings of the Council (*Arch. Md.* XXXII, 169). Sharpe, in his message to the Lower House, dated December 3rd, which summarizes the inquiries made in the letter, says that there is desired by the Lords "a particular and exact Account of the several Manufactures, which have been set up, and carried on within this Province, since the Year 1734, and of the Public Encouragements which have been given thereto", this information being wanted by the Lords to be laid before the House of Commons. The Governor concluded by saying that as the delegates resided in different parts of the Province and from their acquaintance among the public, they will be in the best position to give this information without delay (p. 200). Plans were being laid at this time by Parliament to

tax the colonies, and it seems likely that a duty on manufactured goods may have then been under consideration as a possible source of revenue. The Lower House, in its reply, dated December 6th, said that as his Excellency was aware, there was nothing that deserved the name of manufactory in Maryland, the inhabitants "from the first to the lowest Rank, are generally clothed in British Manufactures", although several families "make some of the coarse Cloathing"; and that there was a "small Bounty lately paid by the County Court on a few Pieces of Linen." It added that more cannot be imported than can be paid for by our own exports, and that the burden on Tobacco is such and the profit to the planter so small, that together with the increase of the price of imports and the decline in their quality, it will soon be necessary for the inhabitants to clothe themselves (p. 213).

Bounties on linen. The reference in the Lower House message to the bounties paid on linen was to the act of 1765. An unsuccessful attempt was made to repeal this law, which had obviously soon become an unpopular one, under which bounties were offered for linen manufactured in private homes. This act had been passed at the November-December, 1765, session with the misleading title, "An Act for the Benefit of the Poor and Encouragement of Industry" (*Arch. Md. LIX*; xxxii-xxxiii, 267-269). A bill to repeal the act, introduced with the approval of the Lower House by William Allen of Worcester County, failed of passage in this house (pp. 142, 179). Immediately thereafter Allen brought in another bill repealing the act as far as it applied to Dorchester, Somerset, Calvert and Worcester Counties, which was promptly passed and sent to the Upper House where it was as promptly rejected (pp. 179, 180, 110). The Upper chamber may have felt that the attempt to encourage linen manufacture had not been given a sufficient trial. Originally passed in 1765 with a time limitation of five years, the law was not extended, when in 1770 it expired.

Trustees in London. Among the last addresses of the Assembly to the Governor was a joint address of both houses, and sent with it was a joint address to the Lord Proprietary, requesting him to appoint and supervise trustees in London, who should receive and invest the dividends from the Bank of England stock belonging to the Province, and also to exercise certain other trusts in England under the law just passed for the payment of the public debt, and for emitting bills of credit for this purpose (pp. 218-219). When the Upper House had first suggested to the lower chamber that the two houses should jointly, out of respect to the Lord Proprietary, ask him to undertake these supervisory duties, the Lower House felt that such a formal request was unnecessary, as the Proprietary had exercised this supervision under the former paper currency, or bills of credit, act, and that the new act merely implied a continuance of this trust; but it expressed a willingness to join in the request if the Upper House would prepare the address (p. 215). The last message of the session was that of Governor Sharpe to the two houses, proroguing the Assembly.

Legislation. Fifteen of the twenty-seven acts passed at the November-December, 1766, session, were new laws, the remainder being either continu-

ances of old laws or acts supplementing them. Of these twenty-seven acts, nineteen were general laws, seven were local laws, and one a private law. Brief references to some of these fifteen new laws will be made here, but some of the more important new acts are discussed in greater detail in other sections of the Introduction. Mention has already been made in a previous paragraph to the passage of the most important act of the session, that providing for the payment of the public debt of the Province by the issue of bills of credit (pp. 264-275). This receives special consideration later (pp. c-cii).

Quarantine law. The law establishing a quarantine against ships carrying infectious diseases, especially directed against overcrowded vessels bringing in felons from England to be sold as servants, was the first Maryland law passed for such a purpose (pp. 262-264). Its passage, favored by the Governor, the Assembly, and the people at large, aroused the opposition of the British shipping contractors, engaged in this profitable but nauseous trade, and was followed by unsuccessful attempts made in England by the contractors to have the act dissented to by the Proprietary, or if that failed, by the Crown. The quarantine law and its repercussions in England are discussed later (pp. xciii-xcv).

Apprentices. A bill for apprenticing children, whose fathers had removed from the counties where the children resided and who were thus likely to become public charges, which had been passed by the Lower House at the November-December, 1765, session, and been rejected by the Upper House for reasons not disclosed by the record, has been discussed in the Introduction to a preceding volume of the *Archives* (LIX, xxv). It was doubtless the same bill which was brought in again at the November-December, 1766, session, under the title "An Act to Ease the Inhabitants of this Province and to Empower the Justices of the Several Counties to bind out the persons therein mentioned as Apprentices." Its purpose was to relieve the public from the cost of providing for their care. It promptly passed the Lower House, but when it reached the Upper House was amended in several details. The bill as passed provided that when fathers had removed without giving security for the support of their children, the justices of the county courts, in cases where there was not sufficient estate for the care of children, should bind them out to some mariner, handicraft tradesman, or other person who was a Protestant, to be taught "Trades and may not be Rigorously used or Turned to common Labour at the Ax or Hoe." Boys were to be bound until twenty-one years old, and girls until eighteen or marriage. An amendment added by the Upper House provided that if the court should find that the child's mother were living in the same county and when summoned before the court, was able to furnish security for its maintenance, she was to have its custody. The act further provided that if the father returned and could maintain the children, the court might annul the apprenticeship (pp. 114, 154, 187, 190, 235, 238). As the act does not provide that a deserted child, if of Roman Catholic birth, should be bound out to a master or mistress of the same faith, one wonders if the absence of such a provision had caused the rejection of the bill by the Upper House at the 1765 session, but finding that the Lower House was obdurate on this point, it had, at the 1766 session, passed the bill without such a pro-

vision, as better than no bill at all. The usual act for the relief of sundry "languishing prisoners" for debt was passed and will be discussed in another section (pp. lxxvi-lxxviii). There was considerable difference of opinion between the two houses as to whether or not certain individuals should, or should not, be afforded relief, with the resulting exchange of messages (pp. 247, 252). The law providing for the publication of the Session Laws and the Votes and Proceedings of the Lower House by Jonas Green, was identical with previous similar acts (pp. 238-241).

Breaking entail by common recovery. An act to "aid defective common recoveries" was passed at this session. This was a device to circumvent the law of entail, and as weakening primogeniture had social significance. Conveyance of land under common recovery was effected under a legal fiction by which entail might be docked and a good title be thus given a purchaser to entailed land. A fictitious tripartite suit for common recovery was in Maryland instituted in the Provincial Court, and by judgment of the court the entail might be broken and a good title by the purchaser thus secured. The steps in the fictitious suit by which judgment to this end might be secured are too involved in legal verbiage to be entered into here. The preamble to the act shows, however, that, prior to its passage, title by common recovery in Maryland was subject to the English laws on recoveries as amended by the Act of 29 Charles II; and that numerous conveyances under common recovery to various lands had been made in the Province, but in many instances these were so defectively drawn, that the titles were, therefore, questionable. This act was passed to validate such defective instruments as had been made in the past or might be made thereafter (pp. 252-253).

The alienation fee. At this session, a bill supplementary to the act of 1714 for quieting possessions, enrolling conveyances, and securing the estates of purchasers, was introduced in, and passed by, the Lower House. After sundry trifling amendments had been added on the floor of the latter house it was passed by the Upper House and became a law. There was no provision in the act to require the payment of the alienation fee to the Proprietary (pp. 171, 181, 185, 186, 233-335). A bill with the same title, which at the November-December, 1763, session, was passed by the Lower House, amended by the Upper House, and then rejected in the house of its origin because of these amendments, figures rather inconspicuously in the journals of the two houses at that time, but was a matter of no little concern to the Proprietary interest (*Arch. Md.* LIX; lxviii). Both these bills required that all papers affecting the titles to land be recorded in a court of record. As the bill passed the Lower House in 1766, however, it made no provision for the payment, before a conveyance might be recorded, of the alienation fee, a land transfer tax which it had been necessary to pay to the Lord Proprietary since the establishment of the Province. The payment of this fee was objectionable to the Lower House, and its leaders felt that if a new recording act could be passed in which no mention of an alienation fee were made, this might be a first step towards its elimination. The Proprietary had directed the Governor and the Council not to assent to any bill which did not include a specific requirement that a fee

be paid before a conveyance to land be recorded. In a previous volume will be found "Instructions" to this effect, issued by Frederick, Lord Baltimore, the Proprietary (*Arch. Md.* LIX, pp. 356-358). In explanation of this change of front on the part of the Proprietary it should be said that Daniel Dulany on September 10, 1764, had advised the Proprietary that he was entitled to collect the alienation fee under his charter rights, and that even if an act were passed making no provision for its payment, he would still have the power to collect it in the Court of Chancery (*Arch. Md.* LIX, lxxviii, 357-358; *The Calvert Papers*, No. 2, Md. Hist. Soc. 1894, 234-239). With Dulany's opinion it was felt by the Proprietary the act could be safely passed.

Water mills. The construction of water mills had been encouraged by an act passed in 1704, granting various extensive privileges to those erecting mills, and by supplementary acts passed in 1753 and 1756 the rates of toll that might be charged by millers were redefined, and the erection of roads and bridges over mill dams and mill races required. At this 1766 session an act was passed by a vote of 22 to 14 repealing all parts of the law of 1704 for the encouragement of the erection of water mills, except that section limiting the rates of toll for milling (pp. 167, 230). While the reason for repeal is not disclosed in the journals of the two houses, or in the act itself, it seems certain that growing interest in fish conservation, as shown by bills introduced at this session and those passed at the next Assembly, had directed attention to the damage done to "the breed of fish" by dams on important water courses (pp. xcvi-xcviii, 230, *Arch. Md.* LIX, xxxiii).

The rest of the acts passed at the November-December, 1766, session, numbering seven, were local and private laws. The most important and far reaching of these was in the nature of both a local and a private act, requiring Thomas Harrison and other land owners "to remove a nuisance in Baltimore Town, by filling in a salt water marsh known as "Harrison's Marsh" on the east side of Baltimore Town, bounded in a general way by Jones Falls, Frederick Street, and the harbor, and to permit the owners to lay out streets, lanes and alleys, and sell building lots, the land thus reclaimed to become part of Baltimore (pp. 253-258). As an interesting chapter of early Baltimore history, this is discussed quite fully in a special section (pp. xc-xci).

Baltimore County roads. An act for amending (improving) and repairing the public roads of Baltimore County, passed at this session by the deciding vote of the Speaker, provided for the appointment by the justices of that county of "overseers of roads" in various sections of the county. These overseers were to keep the roads cleared to a required width, and to keep the roadbeds, bridges, and causeways in repair. Wagons and carts loaded with iron ore or pig iron might not travel on the public roads with wheel treads less than five inches wide. A road tax of 10 pounds of tobacco was levied on all the taxable inhabitants of the county. The overseers were to be paid 60 pounds of tobacco a day for their services. An interesting feature of the law is that compulsory labor on roads, hitherto provided for by law, was abolished, and laborers working on the roads were to be paid wages for their work on orders of the overseers upon the county court (pp. 259-262). As originally drawn

the bill applied to both Baltimore and Frederick counties, but by a vote of 17 to 14 the latter county was eliminated (p. 208). A motion by Thomas Cockey Deye that a tax upon pig and bar iron exported from Baltimore County be laid for the support of the roads, was, in a tied vote, defeated by the vote of the Speaker (pp. 207-208). The bill itself was only passed when the speaker cast the deciding vote (p. 210).

Parish legislation. At this session four parishes, Christ Church, Queen Anne's County; Chester, Kent County; Somerset Parish, Somerset County; and Trinity Parish, Charles County, sought legislative authority for various purposes. Acts were passed giving Chester authority to build a vestry house (pp. 225-227); Somerset to enlarge a church, and to buy land and build a chapel of ease (pp. 227-229); and Trinity to buy land and build a chapel of ease (pp. 231-232). What Christ Church wished to do is not revealed by the journals, but no action was taken by the Assembly upon its petition (p. 101). These parochial activities are described in the section on Parishes, Churches, Chapels, Clergymen, and Religion (pp. lxix-lxxvi).

Frederick County laws. Two local laws relating to Frederick County were passed. One of these provided for the adjournment of the Frederick County Court and the continuance of all cases then before it, this action having been necessary because many members of the Lower House by their presence in Annapolis were not able to attend to important business pending in the county court there at the time fixed for the session (p. 229). The other act provided for the building at Frederick Town of a stone wall about the prison, a gate house to prevent prison escapes which had become frequent, and a jailor's house. A tax of 30,000 pounds of tobacco was levied for this purpose (pp. 144, 243).

Name of John Beale Bordley. A bill for "ascertaining the name of John Beale Bordley" is of interest in connection with this notable early Marylander, who was a prominent jurist, lawyer, councillor, and scientific agriculturist. Bordley petitioned the Assembly at this session to be granted authority to have settled by appropriate legislation an ambiguity regarding his given name. It is learned from the preamble to the private act which was passed to this end at this session, that the petitioner had had a brother named John, and that this had resulted in considerable confusion. The preamble to the act "concerning the name of John Beale Bordley" states that the petitioner was the posthumous son of Thomas Bordley of Annapolis, who had died circa 1726 while on a visit to England, and that he had been christened John Beale Bordley in St. Anne's Parish, Annapolis, but because the petitioner had an older brother John, that he had usually been simply called Beale until the latter's death, and had made contracts and purchases, and even sometimes appeared in law suits under both the names Beale and John Beale. It was, therefore, enacted, that thereafter he should take upon himself the name John Beale Bordley, but that all legal obligations heretofore entered into by him under either name should have the same legal effect (pp. 148, 186, 202, 210, 258-259).

Continuances of laws. There were seven acts passed at the November-December, 1766, session which were merely continuous of old laws about to

expire, and five acts supplementing or amending old laws. All of the continuances were general laws. The most important continuance was the very lengthy Tobacco Act, which not only provided for the inspection of tobacco, the staple currency of the Province, but fixed the ratio of tobacco currency in terms of foreign gold and silver coins, and also regulated the fees which might be charged by all public officials (p. 222). This Tobacco Act was slightly changed by a law supplementary to it passed at this same session (pp. 243-247). Other continuances were laws providing for the payment of bounties on crows, squirrels, and red foxes in certain counties (p. 223); for the recovery of small debts out of court (p. 223); for fixing the gauge of barrels for pork, beef, pitch, and various other enumerated merchandise (p. 224); for remedying some evils relating to servants (p. 224); for ascertaining the height of fences on account of the multiplicity of useless horses running wild in the woods (pp. 224-225); for relief from aggrievances in the prosecution of suits at law (p. 230); for imposing an additional tax of £2 on negroes imported into the Province (p. 232). The periods for which these laws were extended varied from three to seven years.

Supplementary acts were passed amending old laws. One of these was "for quieting possessions and enrolling conveyances of land"; this made it obligatory to record in a court of record all conveyances of land for a term of more than seven years (pp. 233-235). Another supplementary act was that making changes in the Tobacco Law, relating to tobacco warehouses at various places, the salaries of inspectors, and the illegal removal of tobacco from warehouses (pp. 243-247).

Foxhounds made tax free. It will be recalled that when the bill to license dogs came before the November-December, 1765, session, it gave rise to prolonged debate and sharp differences of opinion, not only between the two houses, but also among the members of the Lower House (*Arch. Md.* LIX, xxxiv.) No measures except those involving important controversial political questions gave rise to so many divisions with recorded votes in the Lower House as did the 1765 dog bill. That the dog law of 1765 had gone a little too far, especially in its interference with the favorite sport of Marylanders—fox-hunting—is revealed by the changes which the 1766 Assembly made in the act of the previous year. At the November-December, 1766, session just one year after the Assembly had passed the first dog licensing law entitled an "Act to prevent the mischiefs arising from the multiplicity of useless dogs", a bill was introduced in the Lower House to repeal the entire law (pp. 142, 146). When it came up for consideration, however, the vote was 23 to 13 against a general repeal (p. 179), but leave was given to bring in a bill supplementary to the Act of 1765 (p. 180). After the supplementary bill was brought in on November 28th, and read the second time, it was passed by the recorded close vote of 16 to 14, and sent to the Upper House, where it was promptly assented to (pp. 193, 194, 196, 121). The preamble of the act reveals the reasons why the original law was modified. This recites that "to people living in the Country and having Families two Dogs at least about one plantation are on many Occasions useful and Necessary and that therefore it is reasonable to allow such

people Two dogs to be kept Tax free," and further recites that the tax of one shilling imposed in the original act on dogs over this allowance is not large enough to prevent the "multiplicity of useless or supernumerary dogs." The act provided that heads of families if living in the country may keep two dogs tax free (but those in towns only one), and that dogs above this number are to be taxed at five shillings each, as are all dogs owned by a single individual not a freeholder; and that a freeholder who is single may keep only one dog tax free. A very interesting exception, however, is to be noted as follows: "whereas it is represented that the keeping of Fox Hounds for destroying of Foxes is usefull and Necessary—therefore they should be Allowed to be kept Tax free, Provided the Owners will keep them either Coupled or kennelled and not suffer them to go loose and at Large—unless when the Owner or some other person by his permission is hunting with them." (pp. 241-242). Was this act passed primarily to protect the hen house or for the benefit and pleasure of the foxhunting delegates?

Only one act, which was classed by the Assembly as a private law, and as such had clerks' fees imposed upon it, was that relating to the name of John Beale Bordley, as already noted.

Bills rejected at the November–December, 1766, session. The conflict of interests as well as honest differences of opinion between the two houses are often best revealed by the fate of bills originating in one house and rejected in the other, or by amendments made to them in the house in which they did not originate. In the Maryland Assembly nearly all, but not all, legislation had its origin in the Lower House, so rejection or amendment nearly always first occurred in the upper chamber. The usual cause for disagreement between the houses on proposed legislation was the fear on the part of the Upper House that the Lord Proprietary's prerogative was being invaded, or because the Proprietary wished to prevent the extension of the powers of the county courts at the expense of the provincial courts at Annapolis, or because the Lower House resented any amendments by the Upper House to bills carrying money appropriations, or "money bills" as they were called.

Bills not passed. Although at the November–December, 1766, session, twenty-seven bills actually became laws, there were seventeen bills which originated in the Lower House that failed of enactment. Three of these sought to license and regulate innkeepers and the retail selling of liquors, and the licensing of hawkers and peddlers; two bills attempted unsuccessfully either to effect the death of, or to prevent the discontinuance of, laws expiring by time limitation; four new bills generally considered desirable, but with features objectionable to one of the houses; one meritorious bill but with a gesture having political significance; and one a bill affecting conflicting local interests; six bills involved changes in legal procedure. In nearly all these instances Lower House bills were either rejected outright in the Upper House, or so amended as to make them unacceptable to the lower chamber. These various rejected bills will now be briefly noted.

An unsuccessful attempt was made to repeal in its entirety the law enacted in 1765, with the misleading title, "an act for the benefit of the poor and encouragement of industry", but which was really an act providing for the payment of

bounties on linen manufactured in the Province, and when this attempt at repeal failed, it was followed by an equally unsuccessful attempt to exclude certain counties from its operation (pp. 110, 146, 179, 180, 183). More successful was the move to prevent the reenactment of the law of 1756, about to expire by time limitation, to prevent Indians disaffected to the British interests in America from coming into the Province, an act passed during the Seven Years War to guard against Indian spies, but which was no longer felt necessary (pp. 143, 147, 180). Two Lower House bills of considerable general import were killed at this session, but were revived in 1768 and became laws. One of these was the bill for the preservation of the breed of fish, on which action had been deferred at the 1765 session. When it came up again at the 1766 assembly it passed the Lower House but was so extensively amended in the Upper House that it was rejected in the house in which it originated (pp. 196, 124, 199). A bill with the same title, however, was passed at the 1768 session (pp. 425, 427). Permission was also granted in the Lower House to bring in a bill for the better support of the poor and erecting work-houses in the counties, but there is no record that such a bill was actually introduced at this session (p. 181). The act passed in 1768 for the relief of the poor in certain counties, and which did provide for the erection of work-houses, was doubtless the same bill as that just referred to, but under a different title (pp. 486-495).

The perennial Lower House bill providing a support for a Provincial Agent in London to be appointed by that house, the money to be raised by an export tax on tobacco, was as usual promptly killed in the Upper House (pp. 143, 157, 170, 171, 103). This bill is discussed in a later section (pp. lxvi-lxix), as is the unsuccessful attempt by the members of the Lower House, after the failure of the agency bill, to raise funds for the purpose by a popular subscription and by a Liberty Lottery (pp. lxvii-lxviii, 217-218). The Lower House bill, entitled "An Act of Gratitude", expressing the feelings of appreciation of the people of Maryland towards Pitt, Camden, and others in parliament who had helped secure the repeal of the Stamp Act, together with an explanation of the reasons for the death of the bill in the Upper House, is of no little interest, and will also be more fully considered later (pp. lviii-lix). Three bills providing for licensing innkeepers and peddlers and the selling of liquors, the fees to go to the public instead of to the Lord Proprietary, were passed by the Lower House and killed in the Upper House. These bills are also discussed, in the section on ordinary licenses, and licenses on peddlers (pp. cii-cv).

A local bill of interest to students of the history of the commerce of Baltimore was introduced to prevent the exportation of ungraded flour, staves, and other merchandise from Baltimore Town, but after introduction in the Lower House it was referred to the next Assembly (pp. 105, 207). This was really a bill to require inspection of flour and various other articles of commerce, and their grading, weighing and measuring before exportation from, or sale in, Baltimore Town, which was intended to protect its commercial good name. At the 1768 session it was again introduced and became a law (pp. 105, 207). It is discussed in another section (pp. lii-liii).

The bills involving changes in legal procedure which failed of passage were the following: (1) For the issuing of writs of replevin out of the county courts; a bill with this title had also failed of passage at the preceding Assembly, doubtless due to the desire of the Proprietary to keep such matters in the provincial courts at Annapolis, over which he had more direct control than over the county courts (pp. 157, 180, 183). (2) For the relief of creditors against defendants who were non-residents (p. 181); a bill with this title failed of passage in the Lower House, nor had such a bill come up at previous sessions. (3) For the relief of insolvent debtors; a bill with this title had been introduced in the Lower House and passed by it at the November–December, 1766, session, but had been tabled by the Upper House (pp. 181, 187, 190, 118); it was probably similar to the act of 1774, which allowed debtors under certain conditions to bring their cases before three justices of a county court, without waiting for direct legislative action. This bill is not to be confused with the acts passed by the three sessions covered by this volume “for the relief of certain languishing prisoners in the several gaols” in which the beneficiaries are named. (4) For the security of purchasers and others being Protestant claiming by or from aliens; this bill which had been before previous assemblies, and was again passed by the Lower House, was as usual amended in the Upper House to protect Roman Catholic as well as Protestant purchasers of land from aliens, but the Lower House again refused to extend this protection to Catholics, and after amendment in the upper chamber, it was unanimously rejected below (pp. lxxii, 181, 182, 184, 187, 114, 118, 190-191). (5) for the more speedy foreclosure of mortgages; a bill with this title had come up at the November–December, 1765, session, and action upon it referred to the next Assembly (*Arch. Md.* LIX, xxxvii); when it came up again at the November–December, 1766, session, action upon it was again deferred in the Lower House (pp. 184, 196, 207), but it was not revived again in 1768. (6) A supplementary act to the act “for the directions of sheriffs and their ill practices”; this was an attempt by the Lower House to supplement the act with the above title passed in 1715 (*Arch. Md.* XXX, 264-270); the nature of the 1766 bill is not disclosed, but it was probably identical with the act passed in 1769, having the same title, which provided that a sheriff be penalized if he did not properly endorse certain legal papers which he received (*Hanson's Laws of Maryland*, 1787; acts of 1769, chap. xv).

Governor Sharpe, having signed all acts passed by the 1768 Assembly, prorogued it to meet again on the first Tuesday of May, 1767 (p. 221). But it was destined never to come together again, for after numerous postponements, a call for the election of a new Assembly was issued by the Governor in the late autumn of 1767. The newly elected Assembly did not meet until May 24, 1768.

SESSION OF MAY–JUNE, 1768

When the Assembly elected in the autumn of 1764, which held its last session in November–December, 1766, ended that meeting on December 6th, it was prorogued by Governor Sharpe to the first Tuesday in May (5th), 1767,

but, as just stated, it did not meet again. Following various prorogations in 1767, on April 2, June 13, August 22, September 11, October 10, and November 3, the Governor, after finally fixing upon December 7th as the date of meeting, decided to dissolve it, and on November 3, 1767, ordered that writs, dated December 13, 1767, be issued for new elections for delegates to the Lower House (*Arch. Md.* XXXII, 188, 208, 213, 214, 218). The election results, as elections leisurely progressed in the various counties during December, 1767, and January, 1768, appeared in issues of the *Maryland Gazette* for these months.

Governor Sharpe, on December 4, 1767, called the newly elected Assembly to meet on the first Monday in February, but on January 4th prorogued the proposed meeting until the third Monday (16th) of May (*Arch. Md.* XXXII, 218, 219, 220); and again until May 24th, when the session began with thirty-four of the fifty-eight members present (pp. 325, 326). Seventeen months had elapsed since the last Assembly had adjourned on December 6, 1765, but there does not seem to have been any public demand for an earlier meeting. Provincial politics following the repeal of the Stamp Act had been quiescent during this relatively long period.

The members of the Upper House who were present at various times during this 1768 session were, in addition to Governor Sharpe, Benjamin Tasker the President, Benedict Calvert, Daniel Dulany, Charles Hammond, Samuel Chamberlaine and John Ridout, and the two new members, Walter Dulany and John Beale Bordley. Dulany, who filled the vacancy caused by the death of Charles Goldsborough (*Arch. Md.* XIV, 411), had been sworn in as a member of the Council and Upper House on February 11, 1767, and Bordley, who took the place of Colonel Henry Hooper, who had recently died (*Arch. Md.* XIV, 350), had not been sworn in until May 24th, the opening day of this session (*Arch. Md.* XIV, 350; XXXII, 179, 232).

Neither Edward Lloyd nor Richard Lee was present at any time during this session. Since the November–December, 1766, session two members of the Upper House had died: Colonel Henry Hooper of Dorchester, who died April 20, 1767, and Charles Goldsborough, also of Dorchester, who died July 16, 1767. Although at this period the membership of the Council and the Upper House was fixed at twelve, there were at the opening of this session two other vacancies not yet filled, which were increased to three by the death of Benjamin Tasker just before the close of the session. At only one meeting were there as many as eight members present (p. 301). Sharpe, writing to Hamersley, the Proprietary's Secretary for Maryland affairs in England, on June 22nd, the closing day of this session, urged that the Proprietary make new appointments to fill these three vacancies, and quite graphically described how old age, illness, and dissatisfaction had cut down the number in attendance (*Arch. Md.* XIV, 509). Benjamin Tasker, for forty-six years a member of the Upper House and for twenty-seven years its President, had died on June 19, a few days before the session closed, after an illness of only a fortnight. Tasker, wrote Sharpe, had "to the last given punctual Attendance; his mild Temper and Behavior to every Body made him much esteemed." Colonel Charles Hammond, he writes, "who is now the Senior

member is very old & infirm as is also Mr. [Samuel] Chamberlaine who is become so deaf that as he says himself he is quite unqualified & for that Reason will I believe desire permission to retire or resign." Colonel Richard Lee "tho not old is so often laid up by the Gout that he can seldom stir from home"; and Colonel Edward Lloyd of Wye House "is so much dissatisfied with Things, he has been told were reported of him by M^r Jordan that I question whether he will choose to act again in any public Station", at least he altogether declined giving any Attendance at the last Session (*Arch. Md.* XIV, 509). This was John Morton Jordan recently sent over by Frederick, the Lord Proprietary, as his special revenue officer, who had criticized Lloyd for the indifference with which he administered his office of Receiver General. With the death of Tasker there were only six of the twelve members whose attendance could, therefore, be counted upon.

The composition of the Lower House had been considerably changed by the election of December, 1767. There were twenty-six new members, an unusually large proportion, nearly one-half, out of a membership of fifty-eight. A few of these had, however, been members of previous assemblies, but not of that elected in 1764. The most prominent of these was Matthew Tilghman from Talbot, often referred to as the "Father of the Revolution", who later became the Chairman of the Revolutionary Convention of Maryland. The most notable new member was William Paca of Annapolis, who was later to sign the Declaration of Independence and become Governor of Maryland. Paca succeeded Samuel Chase in this Assembly as one of the two delegates from Annapolis, Chase having been chosen as one of the four representatives from Anne Arundel County. Another notable new member was Thomas Jenings, elected from Frederick County, a young Englishman, who had recently settled in Annapolis and become one of the leading lawyers of the Province, and who, on November 2, 1768, became Attorney General of Maryland. Benjamin Mackall (1745-1804) "son of James John" of "God's Graces", Calvert County, who later became a member of the Maryland Court of Appeals, was another newcomer in the Lower House; he is not identical with the Benjamin Mackall, his cousin, who represented this same county in immediately preceding assemblies. Nor should the Stephen Bordley (1709-1776) who now represented Kent County, be confused with his first cousin, Stephen Bordley (1709-1764) of Annapolis, the Middle Templar and distinguished Maryland lawyer and member of the Council and Upper House. William Hayward of Somerset County, later became a member of the Governor's Council, so he was doubtless of the Proprietary faction in the Lower House. John Moale (1731-1798) who, with three other members of the Baltimore County delegation, John Ridgely, Robert Adair and Thomas Cockey Deye, was unseated because too much liquor had been given the voters at their election, later became the presiding justice of the Baltimore County Court and Colonel of the Baltimore Town Militia during the Revolution. Henry Hooper, Jr. (died 1790) of Dorchester, son of the recently deceased former speaker of the Lower House and Councillor of the same name, had a creditable legislative and military career.

Nearly all the leaders of the popular party had again been returned. The most outstanding of these were William Smallwood, Edward Tilghman, John

Hanson, Thomas Johnson, Samuel Chase, Thomas Ringgold, William Murdock, John Goldsborough, James Hollyday, and Brice Thomas Beale Worthington. To this group there were now added William Paca, and Matthew Tilghman, the last named a prominent leader in former assemblies. Sharpe wrote to Hamersley about this time that the influence of Worthington and Johnson in the Lower House was great (*Arch. Md.* XIV, 460). Edward Tilghman of Queen Anne's, one of the outstanding popular leaders in the house, must have been ill or out of the Province as he was not present at any time during this session. The leaders of the Proprietary faction, or "court party", in the Lower House were almost entirely from St. Mary's, Calvert, Worcester, and Somerset counties. The most influential were perhaps Daniel Wolstenholme, Charles Grahame, Samuel Wilson and William Hayward.

The recent difficulties with the mother country incidental to the Stamp Act had for the time somewhat thrown into the shade the long standing struggles between the Proprietary or "court" interest, represented by the Governor and the Upper House, and the "public" as represented by the popular or "county" party in the Lower House. The recent election would appear to have strengthened the popular party, but during this session the political struggles between the two parties remained in the background, and measures favored by the public, while brought forward and passed in a routine manner in the Lower House, did not in many cases, following rejection in the upper chamber, give rise to acrimonious messages, the controversial questions having been brought forward and voted upon in order to keep the record of the popular party clear. Sharpe wrote of this session that "the greatest harmony" prevailed (*Arch. Md.* XIV, 506).

The Lower House organized on May 24, 1768, in the usual way. Two members notified the Governor that there were a sufficient number [thirty-four] of delegates present in the "Stadt House" to compose an Assembly. The Clerk of the Upper House and two of its members were sent to the Lower House and administered the oaths to the several members present; two members of the Upper House then notified the delegates that the Governor required their attendance in the Upper House, where they were requested by the Governor to return and choose a speaker. Robert Lloyd was thereupon again unanimously elected Speaker and placed in the chair and two members of the Lower House so notified the Governor; two members of the Upper House then notified the delegates that the Governor again required their presence; the delegates went to the Upper House and presented Lloyd as their choice for Speaker, whereupon the Governor approved their choice. Sharpe then made his opening speech to the members of both houses (p. 325-327).

The Governor in this opening speech first referred to letters he had received from Sir William Johnson, the King's Superintendent of Indian affairs for this district, on behalf of the [Nanticoke] Indians, who had removed to Otsaningo in the Province of New York and been incorporated with the Six Nations, and who had petitioned to be allowed to sell their Maryland lands. This request of the Nanticoke and the subsequent action of the Assembly upon it, will be discussed more fully in a later section on the Nanticoke Indians (pp. lxxviii-lxxx).

The Governor also called attention to the confusion in land boundaries due to the variations of the compass, and requested the Assembly to give this matter serious attention. The action which the assembly took about compass variations is also more fully discussed in a later section on this subject (pp. xlix-1). He also pointed out the defects in the road laws and the importance of keeping the roads of the Province in better repair. He suggested that the Assembly inquire into the criminal laws of the Province which, he said, were so confused that it was often a question whether or not a certain law was still in force, resulting frequently in a "tenderness towards convicted persons" that encouraged crime. He concluded with the assurance that he would concur with the Assembly in every measure proposed for the public good (pp. 327-328). Both houses, in separate addresses, responded to the opening speech of the Governor and promised to give his suggestions due consideration and to cooperate with him in every way possible (pp. 286, 287, 331, 333). To these two addresses the Governor made polite acknowledgments (pp. 287, 337).

As other delegates dropped in later from time to time, each, accompanied by two delegates, went to the Upper House and was sworn in. The Lower House next proceeded to the election of a Clerk. Turbutt Wright of Queen Anne's County (1741-1783), a former clerk of house committees, was chosen. The Governor was so notified by two delegates and thereupon approved the choice. Wright, accompanied by two members then went to the Upper House, took the usual oaths and also the oath of office; the form of the latter is entered in the journal. Wright succeeded Michael Macnemara, the Clerk of the Lower House from 1747 to 1767, who had died November 4, 1767. The house reappointed Robert Saunders Sergeant at arms, Cornelius Howard Doorkeeper (p. 328), and John Duckett, Edward Ford, and Henry Wilkins, clerks of its several committees, who were sworn in (pp. 331, 322, 349). It may be added here that just before the close of the session Henry Wilkins, who since 1763, had acted as a committee clerk, was, for reasons not stated, "discharged", and Basil Wheeler appointed in his place (pp. 397, 400, 401). The usual rules of order were adopted (pp. 329, 330). The house passed the same resolves which for many years had been adopted at the first session following the election of a new Assembly. These have been fully discussed under the two 1766 sessions as well as in previous volumes of the Archives, so need not be considered again here (*Arch. Md.* LVI, xv-xvi; LVIII, xvii; LX, xxiv).

The hours for meeting were fixed for nine in the morning and two in the afternoon (p. 322). The Reverend Mr. Edmiston was directed to read divine service at a quarter to nine in the morning and at five in the afternoon (p. 332). The Reverend William Edmiston, recently appointed Rector of St. Anne's, Annapolis, was a native of Nottingham Township on the disputed Pennsylvania-Maryland boundary line. He had a Presbyterian background and received his A.M. degree at the College of Philadelphia (University of Pennsylvania) in 1759. He went to England and was ordained a priest by the Bishop of Oxford, March 29, 1767. Sharpe says that he was recommended for preferment to Frederick, Lord Baltimore, by Lady Essex, and towards the close of 1767, came to Maryland where he served for a while as curate of St. Anne's and St. James's

Parishes, Anne Arundel County (*Arch. Med.* XIV, 464). On March 30, 1768, he became Rector of St. Anne's; and on May 9, 1770, Rector of St. Thomas's, Green Spring Valley, Baltimore County. At the opening of the Revolution, owing to his active Tory sympathies, he was forced to resign as Rector of St. Thomas's, and in 1775 he went to England.

The Lower House proceeded to appoint its various standing committees, the delegate first named apparently acting as chairman. These committees with their chairmen were: (1) Committee of Elections and Privileges, William Ward of Cecil County and four associates, (2) Committee on Accounts, John Goldsborough of Talbot County and four associates, (3) Committee on Grievances and Courts of Justice, William Murdock of Prince George's and thirteen associates, (4) Committee to Inspect the Several Public Offices, Robert Tyler of Prince George's and six associates, to which three others were later added, (5) Committee to enquire what laws will expire with this session, Thomas Johnson and two associates. Additional members were added to these committees from time to time (pp. 332, 333). Special committees were appointed during the session to report on various other matters as they arose.

There was also appointed a joint committee of the two houses to inspect the acts and proceedings of the commissioners for the payment of public claims and for emitting bills of credit, created under the act of November–December, 1766 (pp. 264, 275), as in former years there had been a committee at each Assembly appointed to inspect the old Office for Issuing Bills of Credit, familiarly known as the "Loan Office" which had been abolished under the act of 1765 (*Arch. Md.* LIX, lx–lxii). On May 26, 1768, the Lower House appointed on this joint committee, Ringgold, Dickinson, Steele, Worthington and Beall, to whom Graham was later added (pp. 321, 322, 335, 344); and on the following day the Upper House appointed two of its members, Benedict Calvert and Walter Dulany on it; Calvert was chosen chairman of the joint committee (pp. 285, 321). Its report will be noted later (pp. xcix–c).

Irregularities in election of delegates. The committee on elections and privileges on May 28th, reported to the Lower House that it had inspected the writs of election for delegates directed to the sheriffs of the several counties, and had found the delegates duly returned from St. Mary's, Charles, Calvert, Anne Arundel, Queen Anne's, Talbot, Dorchester, Somerset and Kent counties, but that there were in the election indentures of certain delegates from Worcester, Baltimore, Prince George's, and Frederick Counties, various irregularities, due either to omission of words or phrases in the indentures, or because the names of the electors or of the sheriffs were not entered. None of these errors were, however, of sufficient importance to void the election of any of the delegates from these four counties and all were seated (pp. 341, 342). The unseating of four delegates from Baltimore County due to the too free use of liquor for treating voters, construed by the house as a form of election bribery, as well as the complaint against the election of delegates from Anne Arundel County (p. 382), will be more fully considered in another section of this Introduction (pp. xci–xciii).

Lighthouse at Cape Henry. It may be recalled that at the November–

December, 1758, session, Governor Sharpe had informed the Assembly that he had been commanded by the Lord Proprietary, acting upon instructions from the Lords of Trade and Plantations, to recommend the imposition by Virginia and Maryland of a tonnage duty of twopence a pound on tobacco on vessels entering the Capes, to be used for the erection of a lighthouse at Cape Henry. The Lower House had deferred consideration of the matter until the next Assembly (*Arch. Md.* LVI, xxii), which, however, did not revive it. Now, after the passage of ten years, the question of a lighthouse at Cape Henry was again brought before the Assembly, this time in the form of a letter, dated May 5, 1767, from Peyton Randolph, Speaker of the House of Burgesses of Virginia, addressed to the Speaker of the Lower House of the Maryland Assembly, in which Randolph expressed the belief that the obvious advantages to the trade of both colonies left him "no room to doubt that your Legislature will readily join us in so useful an undertaking." Transmitted with this letter was a copy of the resolutions of the House of Burgesses containing an outline of a proposed act by Virginia, in which hope was expressed that Maryland would concur in passing an act imposing a sixpence tonnage charge on vessels leaving the Province to help meet the expenses of erecting and maintaining a lighthouse at Cape Henry (pp. 334-335). Nothing was done at this session, however, but in 1773, the Maryland Assembly did pass an act appropriating £3600 current money, the Virginia Assembly having previously appropriated £6000 for the same purpose, to build and maintain a lighthouse at Cape Henry, the money to be raised by a tonnage tax of fourpence upon ships entering and leaving Maryland and Virginia (Hanson's *Laws of Maryland*, 1787; Act of 1773, Chap. xxx). The difference in the amount appropriated by these two colonies may be the measure of the respective seagoing trade of each province.

Salaries for judges. The commissions and salaries paid to the judges of the Provincial Court had long been a disputed question between the two houses, the Lower House wishing to use money from licenses and court fees for fixed salaries. Early in the 1768 session the Lower House appointed a large committee, headed by Samuel Chase with twelve associates, to which two more were later added, with orders to draw up a bill for regulating these commissions and salaries, and to submit a report estimating the salaries now received by the three judges. The day following the appointment of the committee it made its report, indicating that the facts were already well known to the committee and a report had been prepared in advance. The report estimated the annual amount required for the support of the judges to be: £666:13:4 as the salary for the chief judge; and £400 for each of the two puisne (associate) judges; a total of £1466:13:4 for the three. It recommended that this amount be raised by taxes estimated as follows: from licenses on ordinaries at £4 each—£800; on hawkers and peddlers at £4 each—£80; on "riding carriage wheels" at four shillings each—£80; on judgments of the Provincial Court in civil cases at four shillings each—£120; these taxes were estimated to have a total yield of £1480. The figures indicate that there were then in the Province about 200 inns or ordinaries, 20 hawkers and peddlers, and 2400 riding carriage wheels liable to taxation, and that there were about 600 civil judgments rendered an-

nually by the Provincial Court. A bill with these provisions was brought into the Lower House (p. 383), but Sharpe, writing to Hamersley, said that as it "was of a new and extraordinary Nature it was agreed to refer it over to the Consideration of the next Session" (*Arch. Md.* XV, 508).

Criminal laws. It will be recalled that in his opening speech to both houses Sharpe had requested the Assembly to review the criminal laws so that all doubt might be removed as to what laws were actually then in force, about which there were at times differences of opinion, resulting, he said, in a "tenderness towards convicted Persons they may not seem to deserve—[by which] Encouragement is possibly given to the Commission of Crimes" (p. 282). Sharpe presumably had reference not only to the Maryland statutes but also to the laws of England which were operative in the Province, unless superseded by Maryland statutes. Both houses promised to cooperate with the Governor to this end. The Lower House towards the close of the session appointed a committee of eleven, headed by Thomas Johnson, to investigate and report upon the subject (p. 369), but no report, however, was made at this session. There is told in some detail in the journals of both houses the story of a blood-thirsty attack upon two helpless women by burglars, one the wife of Joseph Calder, a prominent landowner and deputy surveyor of Baltimore County. The journals also tell of the escape of two negro slave convicts with incendiary proclivities, for the apprehension of whom Sharpe felt rewards should be offered. The Lower House approved the offering of a reward for the two burglars, but for reasons which will be explained elsewhere did not feel it desirable to offer one for the apprehension of the negro slaves. These two outrages are discussed more fully later in the Introduction (pp. lxxxii-lxxxiii).

Townshend acts. Of great importance in relation to future events leading up to the Revolution were the reactions of the Lower House to the passage by Parliament of the Townshend acts, taxing tea, paper, glass and painters' colors. The significance of these acts was brought forcibly before the Lower House just prior to the close of the session in the form of a circular letter from the Massachusetts House of Representatives addressed to the Maryland Lower House suggesting that there be consultations between the several colonies as to the best method of meeting this threat to their liberty. The ill-advised commands from the King to the several colonial governors, requiring them to dissolve immediately the Assembly of any colony which might take favorable notice of this letter, only fanned the flames of resentment, and in the case of Maryland resulted in the Lower House just before adjournment not only passing resolutions of protest and sending a reply of hearty approval to Massachusetts, but in the adoption of a petition of protest to George III (p. lxi). This episode, an important prelude to the Revolution, is considered more fully under the Townshend Acts (pp. lix-lxiii).

Clergy. The attention of the Lower House was called to the dissolute lives led by certain of the established clergy of the Church of England in Maryland by the report of its Committee on Aggrievances, telling of the reputed murder of a negro slave by the Reverend Richard Brown, Rector of King and Queen's Parish, St. Mary's County, and his flight from justice. Aroused

by this and other instances of clerical misbehavior, at this session a bill was introduced to bring under supervision and regulation the clergy of the Established Church, who once inducted were then under no form of control. A bill providing regulation and control was passed by both houses, but was vetoed by Governor Sharpe, who really favored it, because approval would have been contrary to instructions from the Lord Proprietary in regard to all bills affecting his prerogative. Churches, parishes, clergymen, and the regulation of the clergy are discussed at length in a section on these subjects (pp. lxix-lxxvii).

Claims of *militia officers* for overdue pay for services rendered in the late war cropped up again at this session, although the Journal of Accounts passed at the last 1766 session had taken care of most of such claims. A few officers to whom payment had been overlooked when the Journal was made up and passed at that session, brought their claims before the 1768 Assembly. Some of these were favorably considered by the Lower House, while action upon others was postponed. The failure of the Assembly to adopt any Journal of Accounts at the 1768 session, perhaps due to its sudden prorogation by the Governor, resulted in no payments being made.

Provincial agent in Great Britain. The Lower House resumed its long struggle to secure an appropriation for the support of an agent in Great Britain to represent the people before the Crown in controversies between them and the Proprietary. The attempt made at the last session to secure funds for the payment of an agent by public subscriptions and by a "Maryland Liberty Lottery" having failed, a bill imposing an export tax of fourpence on tobacco for the support of an agent was again passed at the 1768 session by the Lower House to be promptly rejected in the upper chamber. The Lower House seems to have had in mind the appointment of Charles Garth for this position, although his name does not actually appear in connection with this position in the journal of the house. The matter is discussed at greater length in the section on an Agent in Great Britain (pp. lxvi-lxix). As usual, a committee of the Lower House was appointed to examine into the condition of the arms and ammunition of the Province. The detailed provisions of this report will be found in a section devoted to this matter (pp. lxxxi-lxxxii).

The Journal of Accounts carrying appropriations for the current debts and expenses of the Province was presented in the Lower House on June 20, 1768 (p. 402), but did not pass either house, probably on account of disputes about certain items, or possibly because of the sudden prorogation of the Assembly two days later by Sharpe, acting under the command of the King, on account of the refusal of the Lower House to ignore the letter of the House of Representatives of Massachusetts, protesting against the Townshend Acts. It would appear that a few of the more pressing debts were taken care of in a special ordinance passed just before adjournment (pp. 402, 405, 415, 318).

The Lower House refused even to consider a petition from certain inhabitants of Cecil County to remove the Court House to Charles Town from Head of Elk, because it had not been advertised in advance, agreeable to the resolve of the Lower House made at the May, 1766, session (pp. 63, 64, 288, 343, 346). Perhaps the success of Baltimore Town at this same

session in having the Court House removed from Joppa to Baltimore, may have stimulated the people of Charles Town to attempt to make that town the county seat. The petition of some of the inhabitants of Somerset and Worcester Counties to have a town laid out at the head of Wicomico River was rejected without explanation in the Upper House where it was first presented (p. 288). It should be noted that at this session, Stepney Parish had been given authority to build a chapel of ease at the head of Wicomico on its south side (436-438).

Petitions. It was early in the 1768 session that the Lower House, by a resolve, adopted a standing rule that thereafter, "no Private Petition shall Pass this House unless the facts therein set forth be fully proved", and it was ordered that this resolve be published in the next *Maryland Gazette* (p. 289). Special committees seem to have been regularly appointed thereafter to report upon the truth of facts asserted in petitions asking for the passage of private laws. The Lower House assessed the fees to be paid to the Speaker and to the Clerk of the house in the case of private bills which were passed. These fees at this session varied from £15 in the case of the Mary Darnall-Charles Carroll marriage settlement act, to £1: 10: 0 in the case of the four other private acts passed at this session (pp. 402-403). The Upper House, as at previous sessions, ordered that the fees to its clerk for private laws be made the same as in the lower chamber (p. 315).

Variations of the compass. It will be recalled that variations of the compass with the resulting confusion about land boundaries had been pointed out by Governor Sharpe in his opening speech to the 1768 Assembly as a great evil requiring a remedy, but it was "difficult to point out One adequate and unexceptionable." Sharp asked the Assembly to give attention to the matter so well worthy of its notice (p. 282). On June 8, 1768, the Lower House appointed a committee of nine, headed by Thomas Ringgold, to confer with Messrs. Prigg and Calder, mathematicians, and to report what were the proper procedures to be taken to remedy the evils arising therefrom (pp. 359, 361). The Committee reported that it had consulted these two gentlemen and had been informed that there is a west variation of about two and a half to three degrees; that this variation is now and has been decreasing ever since the first settlement of the Province, but that "the experiments and observations they have hitherto made do not sufficiently authorize them to say at what rate it decreases." To determine these variations it would be necessary to make many observations upon both ancient and modern surveys. After the rate of the decrease of the variation is determined a good theodolite should be provided for each county, a true meridian line set up at each court house with three pillars of durable stone, and the variations as found by annual observations to be recorded in books to be kept among the county records, and these variations to be considered the standard of variation for each county. The Committee felt that as the "regulation" of old surveys would occasion considerable changes in many of the bounds and present so much difficulty, it advised that further consideration of an evil which is daily increasing be reserved for consideration at the next Assembly (pp. 282, 286, 326, 359, 361, 375-376). The

"mathematicians" who were consulted by the Lower House committee were James Calder (1729-1808) of Hunting Ridge, Baltimore County, and John Frederick Augustus Prigg of Prince George's County. Both of these men were surveyors. Calder, who was living in 1768 at Hunting Ridge near what is now Catonsville, and later at "Castle Calder" in upper Baltimore County, was a native of Scotland. He was commissioned Deputy Surveyor of Frederick County, October 20, 1768, and of Baltimore County, October 16, 1771 (*Md. Hist. Mag.* XXVII, 358; XXVIII, 30). It was his wife who was one of the victims of an attack upon her and a young lady living with her in 1768, which is described in detail in this volume (pp. 285, 286). Prigg was commissioned Deputy Surveyor of Prince George's County December 2, 1771. Succeeding Assemblies had the question of compass variations before them.

Legislation. The output of legislation at this 1768 session was twenty-nine acts passed. Of these nine may be classed as "general laws," or laws which if not general, were of such wide scope as to be so classed; thirteen local laws; and seven private laws. No old laws seem to have expired in 1768 by time limitation; at least no bills were brought in for the continuance of laws "about to expire".

General laws. To the members of the Lower House, and doubtless to the public in general, by far the most important law politically was that "for licensing ordinary keepers, hawkers, peddlers, and petty chapmen". Since the Protestant Revolution of 1689, the people had claimed their right to the license fees and fines from ordinaries or inns which since the political restoration of the Province to the Calverts in 1714 had been claimed by the Lord Proprietary, and before 1714 by the Provincial Secretary appointed by the Crown. This controversy, from 1689 until 1714, was with the Provincial Secretary, who had claimed and retained them; and from 1714 to 1768, with increasing bitterness, it was waged between the people and the Proprietary. The end had come in 1766 when Daniel Dulany had given a legal opinion to Frederick, Lord Baltimore, in which the latter reluctantly acquiesced, that there was no means by which he could enforce his claim to these licenses, fees, and fines. So now, for the first time, the Governor and the Upper House were willing to pass an act regulating inns and vesting the license money in the public, this to be used as the Assembly might direct. For many years Lower House bills to this end had been regularly rejected in the Upper House. The end of the controversy and the 1768 licensing act are discussed later (pp. cii-cv). The disposition of license fees (and fines imposed) from hawkers, peddlers and petty chapmen had in recent years also been a matter of controversy between the two houses, and Lower House bills vesting them in the public had been regularly rejected by the Upper House for the same reason as had the bills for licensing and regulating ordinaries. As seen from the title of the ordinary act of 1768, the licensing of ordinaries and of hawkers, peddlers, and petty chapmen were now under it brought together in one law (pp. 473-482).

Other general acts of special interest passed at the 1768 session were (1) "for the relief of the poor and erecting workhouses in the several counties". Heretofore, poor relief had been effected by the placing out of all public de-

pendents and paupers in private families, their board being paid at county expense. The new law, which was made to apply to five of the fourteen counties, viz., Anne Arundel, Prince George's, Worcester, Frederick, and Charles, provided for the appointment of "trustees of the poor" in each of these five counties, and for the erection of almshouses for the poor, and workhouses for vagrants, beggars, vagabonds, and like offenders (pp. 486-495). This law is discussed more fully later in a section devoted to it (pp. xcvi-xcvi).

The act "for the relief of certain languishing prisoners in the several jails", affording relief to 108 debtors, was of the same character as similar acts passed at preceding sessions, but afforded relief to a much larger number than had any previous law (pp. lxxvi-lxxviii, 468-473).

Two acts for the "preservation of the breed of fish" were passed. One prohibited the erection of fish weirs and regulated fishing with seines in the Susquehanna and Patuxent rivers (pp. 425-427). The other designed "to prevent any obstruction to navigation in the River Potomack" between Wills Creek (Cumberland) and the Great Falls (Georgetown) (pp. 427-428), although not so designated in the title was also a fish preservation measure. They have already been referred to in a previous volume of the *Archives* (LIX, xxxiii-xxxiv), and are discussed further in the Introduction of this volume under "Fish Conservation" (pp. xcix-c).

An act "for granting to the Nanticoke Indians a compensation for lands therein mentioned" is the concluding chapter of the story of the relations between this once prominent tribe and the Province, a tribe which had in the preceding two decades migrated almost in its entirety to the Province of New York to join their brothers of the Six Nations. Lands for their use had been set aside in 1704 and subsequently, on the Nanticoke River in Dorchester County, and on Broad Creek in Somerset County, with the proviso that these would revert to their former owners should they be abandoned by the Nanticokes. Under the act of 1768, in consideration of the payment to them of 666 $\frac{2}{3}$ dollars, the New York Nanticokes and the few remaining in Maryland released all right to their lands in Maryland (pp. 429-431). The story of these Maryland Indian reservations, the migration of the Nanticokes to New York, and the negotiations for their sale of their lands is rather an interesting one, and is told in greater detail in the section on this subject (pp. lxxviii-lxxxix).

The act for the "publication of the laws of this Province, and for the encouragement of Anne Catharine Green", the printer, was identical in nearly every respect with the usual law of this character passed at successive sessions, providing for the printing of the session laws and the "Votes and Proceedings" of the Lower House, except that the name of the printer was no longer Jonas Green, but his widow Anne Catharine Green, who had taken over the printing business at the time of her husband's death in 1767 (pp. 455-458). Jonas Green's somewhat troubled relations with the Lower House during the 1766-1767 period are related in the section on Public Printing and the Greens (pp. lxxxiv-lxxxv).

The two remaining laws of a general character which were passed related to legal procedure. One of these, for "the recovery of certain amercements and

also upon defaults on execution", made sheriffs responsible to plaintiffs for their failure to produce in court defendants under arrest. The court was empowered to order judgment for the amount sued for, against the person previously taken in execution but not produced in court, the sheriff to be penalized or amerced for this amount, together with costs (pp. 438-439). The other law involving legal procedure was that "for amending or declaring the law in the cases therein mentioned". Passed by the Lower House, it was considerably amended in the Upper House (pp. 310-311, 403, 317). This act, as finally agreed upon, changed or amended a number of old laws "in the cases therein mentioned" in the following respects. (a) The qualification that jurors in the Provincial and county courts be freeholders, and that no freeholder might serve as a juror in any case, if at the same court sitting he was himself a party to another suit, was reaffirmed, the act providing, however, that no verdict heretofore given shall be set aside on the ground that those qualifications had been disregarded, but did specifically reserve to the defendant thereafter the right to challenge a juror on the grounds given above. To avoid misunderstandings which had heretofore arisen a freeholder was defined as a man who held (or whose wife held) at least 50 acres of land, or an "estate of freehold" of the value of at least £50 sterling. (b) Redefined and increased the security required of bailsmen under former laws. (c) Redefined stays of execution. (d) Required compliance with awards by arbitration. (e) Added costs to distrains by sheriffs to enforce the payment of public levies. (f) Provided that appeals to the Provincial Court found to involve less than £20 Sterling (or 5000 pounds of tobacco) be set aside by a writ of procedendo (pp. 482-485).

Local laws. Of the thirteen local laws passed at the 1768 session, the most important was that providing for the removal of the county seat of Baltimore County from dying Joppa to rapidly growing Baltimore Town. This was entitled "An Act for erecting a Court House and Public Prison in Baltimore County in the Town of Baltimore, and for making sale of the old Court House and Prison". The lengthy petitions presented to the Assembly by those favoring, and by those opposed to, the change, and the hearings before the two houses show the widespread interest and feeling which the proposal aroused. This public reaction, the various petitions, pro and con, and the terms of the act itself, are elsewhere commented upon in the section, Baltimore Town, the New County Seat (pp. lxxxv-xc, 442-445). As showing the increasing importance of Baltimore as a trading center and port of export of flour, and the desire to preserve its good name, was the passage of a law "to prevent the exportation of flour, staves and shingles not merchantable from the Town of Baltimore—and to regulate the weight of hay, and the measures of grain, salt, flaxseed, and firewood, within the said town." The preamble of the act recites that it was designed to put an end to the deceits of millers and others in the manufacture of flour for export, the faulty weights and measures for hay, salt and flaxseed, and the deceitful practices of shippers in the handling of staves and shingles. It authorized the appointment by the town commissioners of an inspector of flour, and of cullers, garblers, and counters of staves and shingles, measurers of grain, salt and flaxseed, weighers of hay, and wood corders. All casks

containing flour for export after they had been sampled and passed, were to be branded "Baltimore", and the degree of fineness was also to be branded on the casks as "Superfine", "Fine," "Middling", or "Ship-stuff"; all unmerchantable flour was to be branded with a "Broad Arrow," and its export by shipment out of the Patapsco River was prohibited. The qualifications of inspectors, the character of inspections, and the fees to be paid to inspectors were provided (pp. 445-453). The use of the Broad Arrow as a mark of confiscation or of public property goes back in Maryland to the year 1642 when the casks containing tobacco confiscated for debts due the Proprietary, or tobacco not fit for export, were marked or branded with the familiar Broad Arrow symbol (*Arch. Md.* LXIX, xxvi). No later use in Maryland of the Broad Arrow than is to be found in this act is known to the writer. Its use in Great Britain as a symbol of government ownership has continued into the twentieth century.

Three local laws relating to parishes and churches were passed at the 1768 session. These parishes were Chester, Kent County, Stepney, Somerset County, and St. John's, Queen Anne's County. Legislation was secured authorizing the purchase of church land, the erection of new churches or chapels of ease, and the repair of old churches and chapels. These parochial acts are discussed fully in the section on Parishes, Churches, Chapels, Clergymen, and Religion (pp. lxix-lxxvi).

Two local acts for the adjournment and continuance of county courts, to prevent the lapsing of suits then pending in them, which would have occurred had not these acts authorized continuance of suits until a later date, were passed, as was an act made necessary by the loss by fire of certain of the records of the St. Mary's County court. These acts provided: (1) for the "adjournment and continuance" of Talbot, Baltimore and Cecil County courts (p. 421); (2) for the adjournment and continuance of the Frederick County court (pp. 453-454); (3) "to remedy the inconveniences arising from the loss of some proceedings in St. Mary's County court." As regards the last act, it appears that fire had destroyed the house of Owen Allen, Deputy Clerk of the St. Mary's County court, in March, 1768, and that, together with, the house, the original papers in several cases pending in the court, were destroyed. The act provided that the Chief Justice of the county court, the Sheriff, and the several attorneys there practicing be required to deliver to Benjamin Young, Clerk of the Court, "their several and respective dockets . . . the dockets of which shall appear to have been burned and lost", to the end that the causes may be continued (pp. 423-425).

Two local laws relating to county public schools in Frederick and Kent counties were enacted. One of these appointed seven new visitors of the public school in Frederick Town, and authorized the purchase of half an acre for the erection of a school, as the old visitors had not been able to purchase the one acre site authorized by the previous act of 1763, and "it is apprehended this will be attended with too much Expense" (pp. 428-429). The other school act, supplementary to a previous law relating to the visitors of the Kent County School, authorized the visitors to lay out ten acres of school land, including the school house and the Free School Spring for the use of the master, and to

lease the remainder of the school land for a period of twenty-one years, the money from these leases to be applied for the benefit of the school (pp. 459-460).

A local law was enacted "to prohibit raising of swine and geese in George Town, Kent County, and in Snow Hill Town in Worcester County." This act followed the form usual in such legislation, requiring that swine and geese be kept within proper enclosures, and if found running at large it was lawful for any person to shoot or otherwise destroy them (p. 441).

In the year 1762 a local law had been passed establishing a market house in Chester Town and providing rules for its regulation. This act was passed for a three-year period (*Arch. Md.* LVIII, 209, 211). Why it was not continued when it expired in 1765 is not known, but it had lapsed for three years when, at the 1768 session, an act reviving and continuing it for another three-year period was passed (p. 440).

Private laws. Seven private acts, a few of them of some general interest, were passed at the 1768 session. One of these private acts was passed to validate a pre-nuptial agreement between Mary Darnall and no less a person than young Charles Carroll of Carrollton. No mention of her intended husband's name, however, is to be found in the act itself (pp. 422-423). The matter presents such peculiar features that it is discussed in a separate section, the Charles Carroll-Mary Darnall Marriage Settlement (pp. xcvi-xcvii).

The act for the "relief of the Reverend John Macpherson" of Charles County, is remarkable in that it was a measure to release from imprisonment for debt a clergyman of the Established Church, the Rector of William and Mary Parish, St. Mary's County, and to reinstate him in his parish, the Rector agreeing to mortgage a large part of his future salary as rector for the payment of his creditors (pp. 465, 468). This strange case is discussed in the section on Languishing Prisoners for Debt (pp. lxxvi-lxxviii).

An act "confirming to Spedding Bromwell of Talbot County certain lots of land" was passed to give a good title to Spedding Bromwell to two lots in the town of Oxford, Talbot County, which he had purchased in 1763 from Jacob Bromwell and paid for, but before conveyance was executed, Jacob was unfortunately drowned, leaving an infant son as his heir at law. The act confirmed the title in these lots to Spedding Bromwell (p. 454).

An act with a long title, here abbreviated, for "turning a part of a street called East Street in the City of Annapolis and for confirming the title of Thomas Jenings, Esq.," gave authority to Jenings to change the route of East Street which ran through Annapolis Lot No. 86, owned by him, so that the street thereafter would run through Jenings's land where it bordered on lot No. 85, late in the tenure of John Brice, Esq., deceased, the bed of the abandoned street to be vested in Jenings (p. 460). This change in East Street is of some interest to students of Annapolis history as the celebrated Brice House is located in this immediate neighborhood. Another act was passed with a very lengthy title, which is also here abbreviated: "to empower Mary Philpott, widow and administratrix of Brian Philpott, late of Baltimore Town, merchant, deceased, to sell the real estate of her said husband for the payment of

his debts", etc. It appears that Philpott, the owner and developer of a tract of land in that section of Baltimore lying between Jones's Falls and Harford Run in South Baltimore, had died, with claims against his estate amounting to the large sum of £4093: 19: 8 Sterling and £1876: 15: 4, Maryland currency, and other open accounts against him; and that the apparent value of his personal estate was only about £1569. The act recites that her husband had given a written memorandum to an attorney to draw a will directing that certain lands be sold for the payment of his debts, but that the will was not executed; that it will be to the advantage of the heir at law that sufficient of these lands be now sold to pay the debts in full. The act gave the widow authority to sell lots by public vendue sufficient to pay the debts (pp. 461-463).

An act for the relief of Joseph Scott of Worcester County is of interest as showing that the Province was liable for the value of a slave who died after commitment to prison on a criminal charge. It is disclosed that Scott was the owner of a negro man slave who had been committed to the custody of the sheriff on suspicion of murder, and that while in prison he had died. The act authorized the justices of Worcester County to determine the value of the slave at the time of his arrest, and that the owner be reimbursed to that amount by the Treasurer of the Eastern Shore (pp. 439-440).

The usual leisurely routine for the ending of a session of the Assembly was upset by the defiant action of the Lower House in its sympathetic consideration of the letter of the Massachusetts House, which made it necessary for Sharpe, acting under orders from the Crown, to dissolve it immediately. Before doing so, however, he added his fiat to the various bills awaiting his signature, although as his address shows, with some misgiving on his part whether he should delay prorogement long enough to do this (p. 419). In a closing speech he prorogued the Assembly to meet again on the first Tuesday of October, 1768 (p. 420), although it did not actually come together again until November 17, 1769.

ECHOES OF THE STAMP ACT

Echoes of the Stamp Act were heard at both of the 1766 assemblies. At the close of the May, 1766, session, the Lower House had appointed a committee of three headed by Edward Tilghman to correspond during the recess of the Assembly with Charles Garth, Agent of Maryland in Great Britain in Stamp Act affairs (p. 63), and a resolution had been adopted, directing the Speaker to "acquaint Charles Garth, Esq., that this House unanimously approve his Conduct, communicated in his Letters of 26th of February and 5th of March last to Messrs. Tilghman, Murdock and Ringgold, laid before this House" (p. 64). These letters from Garth do not appear in the journal of the Lower House but have been reprinted in full in the *Maryland Historical Magazine* (Vol. VI, 1911, pp. 282-305). Earlier in this session of the Assembly a letter from James Otis of Massachusetts, addressed to Messrs. Tilghman, Murdock and Ringgold, who had been the representatives of Maryland at the Stamp Act Congress, asking that a further allowance be made to the clerk of the Congress, was read to the Lower House, but the house refused to make any further allowances than those that had already been granted (pp. 29-30).

On May 25th, the Lower House ordered that there be entered in its journal "the Whole Proceedings of the Congress at New York" (p. 62). These are duly entered at this point in the manuscript journal but do not appear in Green's printed "*Votes and Proceedings*" for this session. It would seem they were not printed by Green in his "*Votes and Proceedings*" because he was about to print them separately in pamphlet form. This pamphlet, which is apparently the only contemporary printing of the Proceedings of the Congress, was issued by the Green press in September, 1766, under the title: *Proceedings of the Congress at New York* (Wroth's *History of Printing in Colonial Maryland*, 1922; p. 229).

At the November–December, 1766, Assembly, the Upper House and the Lower House, in separate addresses to the King, addresses drawn up at the suggestion of Hamersley, the Proprietary's Secretary in England, expressed their gratitude to the King and to Parliament for repeal of the Stamp Act (p. 134). The Lower House passed a bill, which was killed in the Upper House, thanking William Pitt, Lord Camden, and other "distinguishing worthies in the House of Peers and the House of Commons" opposed to the Stamp Act, for their help in effecting its repeal, the bill also providing for the purchase of a statue of Pitt and a portrait of Camden (pp. 209–210). These separate addresses to the King are fully discussed in a later section (pp. lvii–lviii).

Although there had been relatively little mob disorder in Maryland when attempts had been made to distribute the stamped paper at Annapolis, Zachariah Hood, the distributor for this Province, had been hanged in effigy in September, 1765, and the house occupied by him as a distributing office destroyed. Now that repeal was effected and tempers had cooled, the Lower House appointed a committee to consider what were the damages that had been sustained by the distributor and the owner of the house, and what action should be taken. This committee found that the front room on the lower floor of the dwelling house in Annapolis, owned by the estate of Samuel Gaither, had been used as a storeroom by Hood, and that the house had, in September, 1765, been "pulled down and torn to Pieces by a Number of People"; that the house belonged to the estate of Samuel Gaither, whose widow, Ann Gaither, occupied it; and that a certain Wright Mills, a carpenter, had sustained damage by the loss of his tools and materials in the wreckage and for work done by him in fitting up the front room on the lower floor as a storeroom for Hood (pp. 189–190). The Lower House, in a message to the Upper House, asked that in the Journal of Accounts damages of £100 be allowed the representatives of Samuel Gaither for injury done to the house "by unknown persons and that £13:7:3 for his losses be allowed Wright Mills" (pp. 191–192); and to this the Upper House agreed (p. 119). Hood does not seem to have been a loser.

In an address by the Lower House to Sharpe, dated December 6, 1766, the house felicitated the Governor, saying that although the courts "were in a measure shut up and all Business at a stand for many months" during the Stamp Act excitement, there was no injury done to persons or property in the Province, "except a trifling Loss that happened by the pulling down of an old House rented to the Stamp Distributor in the month of September, 1765"

(p. 212). Sharp had written Hamersley on June 15, 1766, that public excitement had so subsided that "even our Stamp Master, M^r Hood, who kept away so long, has ventured back & keeps Store again in this city" (*Arch. Md. XIV*, 313).

ADDRESSES OF BOTH HOUSES TO THE KING, 1766

Addresses from the two houses of the Assembly to the King were no doubt prompted by a wish expressed in a letter to Sharpe, dated May 1, 1766, from Hugh Hamersley, the Proprietary's Secretary for Maryland in England, saying that, if other American Provinces should address the Throne with their thanksgivings upon repeal of the Stamp Act, he hoped Maryland would not be the last to do so. To this Sharpe replied that "I shall in Consequence of the Intimations you give me prompt some of the Assembly when we meet in Nov^r to express their Loyalty, gratitude & Attachm^t to His Majesty & the Parliament in a becoming Address" (*Arch. Md. XIV*, 302-303, 326). Hamersley, in a subsequent letter to Sharpe, dated November 8, 1766, said that he awaited with impatience the Maryland address of gratitude to his Majesty (*ibid*, 347).

On November 19, 1766, the Lower House ordered that a message to the Governor and Upper House be prepared and sent, requesting them to join with the lower chamber in an address to the King, and a committee headed by Thomas Ringgold was appointed to draw it up (pp. 176, 177). That such a message was actually sent is not recorded in the journal, but on December 4, Murdock brought in an address to the King, which was approved and ordered engrossed, but which, for some unknown reason, is not recorded in the journal (p. 206), as was the address of the Upper House in its journal (p. 134). Nor has the Lower House address been found in the *Maryland Gazette* or elsewhere. It looks as if informal conferences had shown that the two houses could not agree upon the form of a joint address, and that was the reason each sent a separate one. That separate addresses from both houses were actually presented to the King is revealed by a letter from Frederick, Lord Baltimore, to Sharpe, dated February 19, 1767, which reads: "I presented myself the address of the Upp. House to the King; his Majesty received it very graciously; I had previously requested the Secretary of State to observe it & he pronounced it an Exceedingly good one. The Lower Houses address had been presented a few days before because it arrived first. But that's immaterial" (*Arch. Md. XIV*, 371). That the Lower House address was to be transmitted to the King through Charles Garth is learned from a letter from Sharpe to Hamersley (*Arch. Md. XIV*, 356).

The address of the Upper House is duly recorded in its journal. On December 6, 1766, the house adopted a formal address to the King, expressing deep gratitude to him for the "recent and signal instance" of his attention to the welfare of his American colonies, and assured him that they would continue to give "Proofs of Our Zeal, Loyalty and Respect to your Majesty and the Parliament of great Britain." The address concluded with the hope that "your Majesty may live long to enjoy the pleasure, it must afford you, to see all your Subjects, throughout your extensive Dominions, perfectly happy under your

mild, equal and auspicious Government" (p. 134). At the same time the Upper House sent an address to the Lord Proprietary through Governor Sharpe, requesting him to transmit their address to the King (pp. 134-135). For some unexplainable reason the address of the Lower House to the King is not recorded in its journal, nor has a copy of it been found.

Writing on June 11, 1767, to Frederick, Lord Baltimore, Sharpe says that "the gentlemen of the Council [and Upper House] resident in this place are much pleased with what your Ldp. has communicated to me relative to their Address to the King on the Repeal of the Stamp Act & are glad to hear that both the Addresses from this Province to the Throne arrived so opportunely as to contradict in some measure the opinion which the Enemies of these Colonies are industriously propagating" (ibid, 397). It was at this same session that the Lower House passed resolves and there was also introduced a bill entitled "An Act of Gratitude," expressive of the warm feelings of the house to Pitt, Camden, Garth and other "Friends of Liberty" in both houses of Parliament for their part in effecting repeal of the Stamp Act. But the bill was rejected in the Upper House for reasons explained in the section which follows (pp. lviii-lx, 60, 210).

AN ACT OF GRATITUDE TO PITT, CAMDEN AND OTHERS

Relief over the repeal of the Stamp Act and gratitude to those leaders in Parliament who had brought about repeal, found expression in a resolution adopted by the Lower House on November 26, 1766, followed by the introduction of a bill entitled "An Act of Gratitude to the Right Honourable William Pitt, Earl of Chatham, and the Right Honourable Charles Pratt, Lord Camden". Resolves of the house disclose that "taking into their most serious Consideration the noble and spirited Conduct" of the Earl of Chatham and Lord Camden, the late Lord Chief Justice of the Common Pleas and now Lord High Chancellor of England, in supporting the rights and liberties of their fellow subjects in Great Britain and her colonies, uninfluenced by narrow views and local attachments, the members of the Lower House "think themselves indispensibly obliged to transmit to Posterity the grateful Sentiments they entertain" for both these patriots. As a monument, therefore, to these sentiments "and a lasting Testimony of the Gratitude of the Freemen of Maryland, this House hath unanimously Resolved, That a Sufficient Sum of Public Money be appropriated to purchase an elegant Marble Statue of the said Earl of Chatham, to be set up in such Place within the City of Annapolis, as the Lower House of Assembly shall direct: (and) That the said Lord Camden be requested, to permit his Picture to be taken from the Life, by some eminent Hand, at the Expence of this Province, to be placed in the Provincial Court." It was further resolved that 2250 dollars be applied towards the purchase of the statue and the picture, the latter to be in a neat gilt frame, the statue and painting to be consigned to the Speaker of the Lower House.

In addition to these tangible tokens of gratitude to Chatham and Camden, the house further resolved that its most grateful thanks and sincere acknowledgements be also presented by Mr. Charles Garth, the agent of Maryland in

London for Stamp Act affairs, and to certain other members of both houses of Parliament for their defense of the rights of the colonists to whom they are endeared. These specifically mentioned in the Resolves were the Earl of Chesterfield, Lord Shelbourne, Secretary Conway, General Howard, Colonel Barre, Sir George Saville, and Alderman Beckford, and gratitude was also to be expressed to any others that Charles Garth might feel had acted a like "glorious part" (pp. 188-189). A bill to this end, of which no copy is known to have been preserved, was passed by the Lower House at the November-December, 1766, session, and sent to the upper chamber (pp. 193-194). Here it was promptly returned with a message that it was rejected because the Lower House had assumed the exclusive right of appropriating public money by law expressly subject to the disposition of the General Assembly, but with the promise that if a bill for the same purposes consistent with the rights of the Upper House were passed, its assent would be given (pp. 127-128, 209-210). Thus the bill died. It will be noted that under this bill, if it followed the Lower House resolves, the statue and portrait were to be "consigned" to the Speaker, who probably was also entrusted with ordering them, leaving the Governor and Upper House out of the picture.

TOWNSHEND ACTS, MASSACHUSETTS LETTER, PETITION TO THE KING

The dramatic events which occurred at the close of the 1768 session were caused by the spirited reaction of the Lower House to the attempt of the Crown to prevent consideration by any of the colonial assemblies of the circular letter from the Massachusetts House of Representatives to them, urging a united protest against the recently enacted Townshend acts imposing duties upon tea and certain other articles brought into the colonies. At the opening of the 1768 session, Speaker Lloyd laid before the Lower House a letter from Thomas Cushing, Speaker of the Massachusetts House of Representatives, "respecting the late acts of Parliament imposing certain duties on the colonies for the sole purpose of raising revenue", referring to the recently enacted Townshend acts imposing duties on tea, paper, glass and painters' colors brought into the colonies (p. 334), but for some reason not clear, the letter itself was not entered in the journal of the Lower House. This was, of course, the famous circular letter known to have been written by Samuel Adams, which was sent by the Massachusetts House to all the other American colonies, and contributed so much to bring down the ire of the British Government upon Massachusetts. The letter, dated February 11, 1768, is, however, entered in full in the proceedings of the Council of Maryland. The letter pointed out that in a matter of such moment it was desirable that representations of protest from the sister colonies to the Crown should harmonize with each other. It protested against what it called the unconstitutional imposition of duties upon the colonies by a Parliament in which the taxed were not represented, and by a body in which they could not be effectively represented. It also protested against the acts to prevent mutiny and desertion which required the colonies to supply designated supplies for the British troops quartered on them. The letter concluded by saying that it was not the desire of Massachusetts to assume leadership, or to dictate to the

other American assemblies what they should do, but rather to obtain an expression of their opinion, and ends with the usual protestations of "Firm confidence in the King, our common Head and Father" which was felt by "his distressed American Subjects" (ibid, *Arch. Md.* XXXII, 240-243).

No action whatever was taken upon this letter by the Lower House until near the close of the session, when a preemptory command by the King that the letter must be ignored, inflamed the Assembly. On June 20, 1768, before adjourning, Governor Sharpe, who had just received orders from the ministry in London in regard to the Massachusetts letter, sent a message to the Lower House in which he declared that the King "hath been pleased to order it to be signified to me that he considers such measure [the Massachusetts Letter] to be of a most dangerous and factious Character calculated to inflame the minds of his good subjects in the colonies, to promote an unwarrantable combination to excite and encourage an open opposition to, and denial of the authority of, parliament, and to subvert the truest principles of the constitution." The Governor was also directed to say to the Lower House that the King had no doubt that the repeated evidences of respect shown by Maryland to the Crown, Parliament, and law would cause them to show a proper resentment to this attempt to divide the colonies and the mother country, and that "by taking no notice of such letter—will be treating it with the contempt it deserves" (p. 399). What the Governor did not divulge to the Lower House, although it is certain that knowledge of it had leaked out, was that not only was his message based on instructions sent him in a circular letter from the Earl of Hillsborough, Secretary of State for the Colonies, addressed to him and the other colonial governors, dated Whitehall, April 21, 1768, but that Hillsborough had further directed him under orders from the King, that if the Governor failed in his endeavors, and "there should appear in the Assembly of your Province a Disposition to Receive or give any Countenance to this Seditious Paper, it will be your Duty to prevent any proceeding upon it by an immediate prorogation or Dissolution" (*Arch. Md.* XXXII, 239-240). The letter from Hillsborough to the Governor will also be found printed in the *Maryland Gazette* for July 14, 1768. This order of Hillsborough, commanding the several colonial governors to dissolve their assemblies if any notice were taken of the Massachusetts Letter made prompt prorogation mandatory if any notice were taken by the Lower House. Thus warned the house timed its moves most cautiously.

It is not clear what formal action, if any, the Lower House would have taken on the Massachusetts Letter at this session had this threat of the King not been made, but from the timing there is some reason to believe that a petition to the King was contemplated, or had actually been prepared, before matters were brought to a head by the message of June 20th from Sharpe to the Lower House. Be that as it may, events moved rapidly following the receipt of the message. These may be summarized as follows. The Sharpe message, communicating the commands of the King, was read on June 20th (p. 399). On the following morning it was read again and a committee headed by Matthew Tilghman was appointed to draft an answer to the Governor (pp. 405-406). Immediately thereafter, Tilghman, from the committee appointed June 8 to draft a

petition of protest to the King, brought in the petition which was without division adopted (pp. 360, 406-409). Down to this point no mention of the Massachusetts Letter had been made, but it was now to be thrown into the arena. On the morning of June 22nd, the address to the Governor, which had been prepared and which politely defied the orders of the Crown, was brought into the house and by a special order passed, engrossed, and sent to him (pp. 413-414). Immediately thereafter, a series of eight resolves were unanimously adopted denying at somewhat tedious length the right of Parliament to tax the colonies (pp. 415-417). Sharpe promptly replied to the address that this defiance of the King's command required that he put an end to the session, which he did immediately, but not until he had signed certain bills awaiting his approval (pp. 419, 420). The petition to the King, the address to the Governor, the resolves, and the dissolution of the session will now be considered in more detail.

The petition to the King adopted on June 21st is a rather lengthy one, and, as already stated, contains no direct reference to the Massachusetts Letter. It opens with the usual expressions of loyalty to the best of kings, and then proceeds to assert at great length the rights of Marylanders to freedom from taxation except by their own assemblies, a right founded, it was said, not only on the Magna Charta and the Bill of Rights, to whose benefits they were entitled as subjects of the King, but as Marylanders by the Maryland Charter; that taxes imposed on them for raising a revenue by a Parliament in which they were not represented, was a direct violation of these rights. The petition closes with the prayer that his Majesty will extend to the faithful people of Maryland the same paternal regard which he has in the past so invariably shown to the just rights of his subjects, and that he will be pleased to grant them relief.

The Speaker of the Lower House, Robert Lloyd, was ordered to have the petition presented to the King through Charles Garth, who had been previously selected by the Lower House to act as its agent before the Crown in its disputes with the Lord Proprietary. That it did not reach the King in this way, however, is revealed by a letter from Hillsborough to Sharpe, dated November 15, 1768, in which he refers to the "unwarrantable proceeding" of the Maryland Assembly, and especially "that they have not seen fit to decline sending their Petition to his Majesty on the subject of the late Acts of Parliament, either through the Proprietor or his Deputy in the Government there, which His Majesty considers as the only proper and constitutional channel." This "disrespect to the Crown and undutiful behaviour on the part of the Assembly have not however inclined His Majesty to show the least disregard to the petition which has been delivered to me by M^r Montagu; on the contrary, His Majesty has considered it with attention and has commanded me to signify to you" his disapproval of the assertions and claims contained in it. Hillsborough adds that the "two houses of Parliament do entirely concur with the King in these sentiments" (*Arch. Md.* XIV, 552-553). The Mr. Montagu who presented the petition to Hillsborough has not been identified. There are letters from Garth to Hillsborough on the subject of the petition, and from Speaker Lloyd to Garth attesting to its authenticity (*Md. Hist. Mag.* XII, 377-381).

On June 22nd, a short time before the Assembly was ready to adjourn the Lower House notified the Governor that it wished to present an address to him (p. 412). This address had on June 20th been ordered prepared by a committee headed by Matthew Tilghman, and associated with him Johnson, Hall, Chase, Jennings, Ringgold, and Gresham (pp. 405-406). The address declared that "it is very alarming to find, that at a time when the people of America think themselves aggrieved by the late acts of Parliament, imposing taxes on them, for the sole and express purpose of raising a revenue, and in a most dutiful manner, are seeking redress from the throne, any endeavors to unite in laying before their Sovereign what is apprehended to be their just complaint should be looked upon 'as a measure of most dangerous and factious tendency, calculated to inflame the minds of his Majesty's good subjects in the colonies, to promote an unwarrantable combination, excite and encourage an open opposition to, and denial of, the authority of parliament, and to subvert the true principles of the constitution.'" The orders from Hillsborough to the Governor to dissolve the Assembly if any attention were paid to the Massachusetts letter, it was said, cannot but be viewed "as an attempt, in some of his Majesty's ministers, to suppress all communication of sentiments between the colonies and to prevent the united supplications of America, from reaching the royal ear." As regards the Massachusetts letter, the house said, "what we shall do upon this occasion, or whether . . . we shall do anything is not our present business to communicate to your excellency, but we cannot be prevailed on, to take no notice of, or to treat with the least degree of contempt, a letter so expressive of duty and loyalty to the Sovereign, and so replete with just principles of liberty", and that when these are threatened, "we shall not fail boldly to assert, and steadily endeavor to maintain and support" them. The address contained the usual protestations of affectionate attachment to the King (pp. 413-414). Just before this address was presented to the Governor, the Lower House ordered that it and the Governor's reply, which of course had not yet been received, be printed in the *Maryland Gazette*, where both appeared in the July 28, 1768, issue.

The reply to the letter from the Massachusetts House, dated June 24, 1768, was signed by Robert Lloyd, the Speaker, and it is to be noted that it is not recorded in the journal of the Lower House, nor as far as is known, has it been reprinted since it appeared at the time in the *Maryland Gazette* (July 28, 1768) and in the *Boston Gazette* (July 11, 1768). It is, therefore, reproduced in the Appendix of this volume (pp. 518-519). It is addressed to Thomas Cushing, Speaker of the Massachusetts House. It acknowledges the obligations of the delegates to "a candid and free Communication of Sentiments of a Sister Colony, on a Point so interesting to the whole; and that their Opinion of the Consequences to the Colonies, of the Operation of the several Acts of Parliament you allude to, coincide exactly with yours, and that they are persuaded of the Necessity of harmonizing as much as possible, in proper Measures for Redress." Then follows the usual protest against taxation of the colonies by the British Parliament. The letter concludes by saying that the petition of the Lower House to the King is being transmitted to Charles Garth, "special agent

of our House of Delegates" for presentation, and he will be asked to cooperate with your agent and the agents of the other colonies in endeavoring to procure relief.

Just before the Assembly was ready to adjourn, and all the regular business of the session had been finished, except the formal assent of the Governor to a number of bills already passed by both houses, the Lower House unanimously adopted eight formal resolves which not only denied the right of Parliament to impose taxes in Maryland, but also asserted the attitude of the house on several public questions in controversy between the people and the Lord Proprietary (pp. 416-417). These resolves need not be further discussed here as they are similar to those passed at previous assemblies, and more especially when the Stamp Act excitement was at its height; they have been discussed in a previous volume (*Arch. Md.* LIX, xlii).

Sharpe's brief reply to the spirited message of the Lower House declared that he was extremely sorry that his recommendations, made by his Majesty's express commands, had had no weight with the house, and that had it not instantly on presenting the address informed him that there was no more business before it, he would immediately, in obedience to his Majesty's command, have put an end to the session to prevent any further proceedings of the house on the matter (p. 419). That Sharpe had misgivings and wondered whether he might be censured for not having dissolved the Assembly immediately after the address was made, and without waiting to add his "fiat" to the bills awaiting his signature, is shown by a letter from him to the Lord Proprietary written the day after adjournment, in which he says "but had I done so it would only in my opinion have answered no other End than to raise a Ferment here & perhaps in the Neighboring Colonies for the people would be apt to consider it a Common Cause." He thought it would have been best had the Ministry entirely ignored the Massachusetts Letter (*Arch. Md.* XIV, 511). That the King and Hillsborough did not disapprove of Sharpe's course is to be seen from a letter dated November 15, 1768, from Hillsborough to the Governor in which he expresses complete satisfaction with the Governor's behavior (*Arch. Md.* XIV, 561).

On the day before adjournment Speaker Lloyd of the Lower House reported that he had received a letter from the Speaker of the Virginia House of Burgesses respecting the acts of Parliament imposing duties to be collected in America and the act conditionally suspending the legislative power of New York. Lloyd was requested to write a respectful answer in the name of the house (p. 409). Neither the Virginia letter nor the answer is entered in the journal of the house nor have they been found among the Maryland or Virginia records.

JOURNAL OF ACCOUNTS

The dispute between the two houses about the adoption of a Journal of Accounts carrying itemized appropriations for the expenses of the Provincial government, had now for ten years prevented the adoption of a Journal and the payment of the large debts due to the public creditors covering this long

period. The accumulating public debt now amounted to over £40,000 current money. Feeling ran so high that mob violence had been threatened at a recent session of the Assembly to force an agreement between the two houses. The principal bone of contention was the payment of the salary of the clerk of the Governor's Council, the Lower House insisting that this should be paid by the Lord Proprietary whose creatures the Upper House and the Council were, the Proprietary that it should be paid out of the public levy. The interested reader is referred for the history of this dispute since 1756 to the introductions of recent volumes of the *Archives* (LX, liv; LVI, lxviii; LVII, lxix; LIX, lxix).

At the brief May, 1766, session, the Journal of Accounts came only casually to the fore in the Assembly proceedings, doubtless since the situation had become so critical, and matters behind the scenes were so moving, that it was felt a compromise between the two houses would be agreed upon when the Assembly should meet again later in the year. On May 24th the Journal was brought into the Lower House by John Goldsborough of the Committee on Accounts, together with a list of debts due to sundry persons on account of the late war, and was promptly adopted and sent to the Upper House. The Upper House immediately returned the Journal with the brief message that while they approved the Book of Accounts with its allowances made to the militia who had served on the frontier in the late war and the money spent for provisions and other necessities for their use, as well as the payment of charges due householders for quartering his Majesty's troops in the Province, the house could not approve the Journal unless there were included in it the back pay and current allowances due to the Clerk of their house (p. 12). The Lower House made no reply to this message, nor is further reference to the journal at the May session to be found.

The November–December, 1766, Assembly, was to see the adoption of a Journal of Accounts brought about by a compromise agreement between the two houses to refer to the Crown for arbitration the disputed question as to the payment of the salary of the clerk of the Upper House. The accumulated public debt had now become too great to be paid by public levy so it was further agreed that the money for this and other purposes be raised by an issue of Bills of Credit, paper money, secured by Bank of England stock owned by the Province and deposited in the hands of trustees in England.

The Journal on November 15th was brought into the Lower House by Thomas Wright of Queen Anne's County for the Committee on Accounts, approved, and sent to the Upper House (p. 167). In a message the Upper House dissented to its adoption, not only because it contained no allowances for the salary of its clerk, but also because no allowance had been made to the Governor for his Seals to the Proclamations notifying the public of the Acts of Parliament repealing the Stamp Act, nor to Jonas Green for printing the Proclamations (p. 102). Upon receipt of this message the Lower House, on a motion that a conference with the Upper House on the Journal be proposed, voted 16 to 16 on the motion, the Speaker casting the deciding vote in the negative (p. 173); but the next day the Lower House reversed itself by send-

ing a message proposing such a conference, citing "the distressed circumstances of the Province and the extreme necessity of many of the Creditors of the Public, occasioned in great Measure by the want of the circulating Medium of Commerce and by the non-payment of the public debt" (pp. 174-175). The Upper House agreed to a conference and appointed Daniel Dulany and John Ridout as its representatives, and adopted "Instructions" for their guidance. It proposed that an appeal be made to the King in Council by the two houses in the matter of the payment of the clerk's salary, either by an allowance of an equal amount to each house to prosecute the appeal, or without any allowance to either house, the sum claimed by the clerk to be held in escrow. The Upper House was willing for the present to pass over the payment of the Seals for Proclamations (pp. 107-109).

The Lower House appointed Murdock, Johnson, Ringgold, and John Hall as its conferees, these receiving the "Instructions" of that house. These declared that the house would not consider payment on account of the Proclamations by the Governor of the Acts of Parliament relating to the repeal of the Stamp Act as this might be later interpreted as an acquiescence in the claim that Parliament had a constitutional right to impose internal taxes on her colonies. While reiterating its demands that the Clerk of the Upper House be paid out of the fines and americiaments that now went to the Lord Proprietary, on account of the "distressed circumstances of the Province", it suggested the issuance of Bills of Credit sufficient to pay the public debt and the Clerk's salary if the Crown so ordered, and a further allowance of £1500 to enable the Lower House to employ an Agent in London for three years (pp. 181, 182). The conferees met on November 19th and elected Daniel Dulany chairman, and John Duckett, Jr., Clerk of the committee. The Lower House agreed to accept the second proposal of the upper chamber, which was that the matter of the Clerk's salary be referred to the Crown (p. 183). This was followed by the introduction into the Lower House on November 26th of an act "for the payment of the public claims and for emitting Bills of Credit" (p. 191). After passage of this bill by the lower chamber it was sent to the Upper House to be followed by a message from it, suggesting various minor changes and simplifications of phraseology, and also that the agreements entered into between the two houses at the conference be briefly recited in the act. Of course, no attention whatever was paid by the upper chamber to the suggestion that £1500 be appropriated to provide for an agent in London. The Lower House in a curt return message, requested the upper chamber to return the bill with either an assent or a negative, as they did not recognize the right of that house to change or "limit the matter, manner, measure and time . . . of all Grants, and Dispositions of Public Money," the sole right to "form" all money bills being vested in the Lower House alone (p. 205). Before sending this message the house adopted a series of resolves, affirming in detail its exclusive right over money bills and declaring that any defects of another character in the bill could be rectified by subsequent legislation (pp. 204-205). The Upper House, in a temperate and conciliatory reply, noted with great concern and surprise that the lower chamber had taken offense at its message, and said that it had been

framed so as not to produce such a result; that the suggestions made were done to make the bill more nearly agree with the conference agreements. It further pointed out that in the formation of the bill passed in 1733 for the issuance of £90,000 of Bills of Credit conferences were held, and suggestions made, by the Upper House which had been incorporated in the bill. While denying the claim of the Lower House to have exclusive right to formulate money bills, on account of the great emergency existing, assent was given to the bill, but the lower chamber was given notice, that when the matter of the clerk's salary is referred to the Crown, the claims of the lower chamber to have exclusive authority over money bills will also be brought before the King in Council for determination (pp. 128-130). The bill was then passed by the Upper House for the issuance of Bills of Credit, and the Journal of Accounts providing for the payment of the public debt assented to (p. 214).

PROVINCIAL AGENT IN GREAT BRITAIN

The old question of the appointment of, and support for, an agent in Great Britain to represent the public before the Crown in controversies between the Lower House and the Proprietary interest as represented by the Governor and the Upper House, cropped up again at the two 1766 sessions and at the 1768 session, but did not attain the violence that it had at numerous previous sessions, nor give rise to the usual interchange of heated messages between the two houses (*Arch. Md.* LIX, lvi). Its career in the May, 1766, Assembly, followed the usual routine. On May 20th, Col. Edward Tilghman was given leave to bring into the house a bill providing for the support of an agent of the Province in Great Britain, to be appointed by the Lower House, by a levy of a four pence export duty on tobacco (p. 52). Such a bill was brought in and passed by special order to avoid delay (p. 52), and sent to the Upper House, to meet there its usual and pre-ordained rejection (pp. 9, 12). No messages, however, passed between the two houses on this occasion. Both were satisfied merely to continue thus to place their respective positions upon the record. The provisions of the bill are not disclosed, but it was doubtless the same bill which, under the same title, had aroused so much bitterness at recent sessions.

At the November-December, 1766, session, a bill for the support of an agent by a four pence export duty on tobacco, with the same title, was again brought into the Lower House, passed (pp. 157, 170), and sent to the Upper House, where it was returned with a message, dated November 17, 1766, saying that, to avoid repetition of the reasons for its dissent, the Upper House referred the lower chamber to their message of December 16, 1765, where the reasons were fully explained, and where also would be found, "the Terms upon which we would most cheerfully agree to your appointment of an Agent" (pp. 103, 171). This, of course, referred to the offer of the Upper House to provide a support for an agent who would represent both houses, or for two agents, one representing the Upper and one the Lower House (*Arch. Md.* LIX; lvi-lvii). It is also to be noted that at the time the bill providing for the issuance of Bills of Credit and for approval of the Journal of Accounts had come before the conference between the houses, the Lower House made a proposal

which it knew would be rejected, that £1500 in Bills of Credit be voted for the support for three years of a Lower House Agent in Great Britain (p. 182). Without replying to the Upper House message of November 17th, the Lower House, on December 6, 1766, adopted a series of resolves on various public questions in controversy between the lower chamber and the Proprietary, as represented by the Governor and the Upper House, showing the necessity for an agent in Great Britain, to be appointed by the Lower House, to represent the people before the Crown. The compromise agreement between the two houses at this session to refer the dispute as to whether the salary of the Clerk of the Upper House be paid by the Proprietary (as was the same person's salary as Clerk of the Council), or by the public, made it necessary, the Lower House said, to have a representative in London to present its point of view on this question to the Crown.

The bill to support an agent with money derived from a four pence export tax on tobacco having been killed in the Upper House, the Lower House changed its tactics and declared in its Resolves that funds from licenses and fines, and from the existing twelve pence per hogshead export duty on tobacco, which now went to the Proprietary, but which the Lower House declared really belonged to the public, should be used for the support of an agent. It also resolved that until the license money, fines, and tobacco duty may become available, a novel method for the support of an agent be employed. This was by a lottery and by a public subscription. It was further resolved that Charles Garth be appointed agent, and that a committee be chosen to prepare a statement presenting the case of the Lower House to be transmitted to Garth. This committee was to have power to examine all provincial records, including those of the Governor and Privy Council. It was further resolved that the money to pay the agent for the preparation and presentation of the case be raised by members of the Lower House through popular subscriptions and by a lottery by which £1000 current money was to be raised. The "management committee" for the "Liberty Lottery" was to be composed of William Murdock, Charles Carroll, the Barrister, Thomas Sprigg, William Paca, John Weems, Thomas Gassaway, of South River, Thomas Ringgold, Brice Thomas Beall Worthington, Henry Hall, John Hammond, Thomas Johnson, John Hall of Annapolis, and Samuel Chase. Carroll, Sprigg, Weems and Gassaway were not members of the present Lower House, the remaining eight managers were. There were to be 5000 lottery tickets at thirty cents each, 2500 blanks, 2500 prizes, the prizes varying from £500 to £200 each, the drawing was to be held at the court house at Annapolis on the last Monday in May, 1767, or sooner, if the tickets were sold. The managers were to give bond to the Clerk of the Lower House. Advertisements of the lottery were to be published in the *Maryland Gazette*, the *Virginia Gazette*, and in the *Pennsylvania Journal* (pp. 216-218).

Commenting on the "Liberty Lottery", as it was called, which was advertised weekly in the *Maryland Gazette*, Governor Sharpe wrote on December 8, 1766, to the Proprietary's Secretary, Hugh Hamersley, that the members of the Lower House had themselves contributed only £150 to the fund for the support of an agent, and had employed Garth as agent, and directed him to prosecute the

appeal to the King for the arbitration of the dispute with the Upper House about the salary of its Clerk (*Arch. Md.* XIV, 356). Frederick, the Lord Proprietary, complained bitterly of the "Liberty Lottery", which he characterized as an attack upon him "as if he were a Bashaw" (*ibid.* 371). Sharpe wrote again to Hamersley on March 11, 1767, that the scheme for the £1000 lottery which was advertised in the *Gazette* was going badly, and would have gone still worse had not the Pennsylvanians bought whole books of tickets, and that subscriptions to the fund had come in but slowly (*ibid.* 384). When the day, May 25, 1767, came for the drawing to take place, it was postponed because all the tickets had not been sold; and Sharpe questioned whether the leaders were really anxious to push the appeal, so that they could give as the reason for not doing so, that their committee had been denied access to the public records which would have decided the matters in dispute in their favor (*ibid.* 391). When Sharpe wrote again on June 9th, he referred to a rumor that Garth was to petition the Crown for an order that the Assembly be required to supply support for an agent by a special tax (*ibid.* 395, 398). Failure of the lottery scheme and the raising of a £1000 fund by subscriptions for the support of an agent, forced the Lower House, at the 1768 session, in order to keep its record with the public clear, to attempt by other means to raise funds for this purpose, although it knew well such an attempt would be promptly killed in the upper chamber. A bill was accordingly drawn up by a committee, headed by Matthew Tilghman, with Ringgold, Hall, and Chase as the other members, imposing a four pence export duty on tobacco, which was promptly passed by the Lower House and as promptly rejected by the Upper House without amendment, explanation, or the exchange of messages (pp. 346, 353, 365, 299, 315, 412).

In the seventeen-month interval between the 1766 and the 1768 sessions, a spirited dispute relating to the public records occurred between the Lower House on the one hand and the Governor and Council on the other. The Lower House sought to bring the agency question before the King in Council and to secure an order to the Upper House from the Crown directing it to agree to an appropriation by the Assembly for this purpose. To prepare a full statement of the agency question the Lower House further resolved that its committee, headed by the Speaker, should have authority to have access to all records in any public offices "not only of this house but also of the Upper House, Governor and Council, and Governor and Privy Council" (pp. 216-217), and here the Lower House found itself up against a stone wall. Although it does not appear from the journals of the Lower House for the period covered by this volume, it is disclosed by the Sharpe Correspondence that the Governor refused to allow the committee to have access to his personal records and to the records of his "Privy Council", which he declared were Proprietary and not public records. Writing, March 11, 1767, to Hugh Hamersley, the Governor told of the appointment by the Lower House of a committee "to meet here during the Recess of Assembly vested with full power & Authority (if a Resolve of the House could confer it) to rummage all the publick Offices, that of the Privy Council not excepted, without asking leave of me or any One else, which had the Government submitted to or connived at a Precedent would have

been set for a Standing Committee in all times hereafter during the Recess of Assemblies, for a Pretence for such Committees being appointed would never be wanting." The Governor went on to say that the Council therefore refused, and the Register of the Secretary's office was directed to refuse, to allow a general search of the records under his care, and Daniel Dulany, the Secretary of the Province, so notified the committee. The Governor wrote that had the Lower House thought fit to address him for an order to "discover" to designated gentlemen transcripts of the records, they would have been supplied, but that he would not allow a committee appointed by the Lower House to rummage the offices and remove from them books or papers, especially those of the Privy Council (*Arch. Md.* XIV, 385, 386). Hamersley, in a letter in reply, dated July 20, 1767, commenting on this, said that there was no precedent for the claim that the Lower House has a right to call for the production of original public records, and that no such claim has ever been made by Parliament, nor has it ever asserted a right to continue its investigation of public affairs during a recess (*ibid.* 406-407).

The proceedings of the Council for February 19, 1767, show that the Committee of the Lower House, under this date, wrote to the clerk or register of the Secretary's office, of which Daniel Dulany was Secretary, requesting him to bring before the committee certain records and, at the same time, sent him a certified copy of the Resolves of the Lower House upon which they based their authority to do so. A meeting of the Council was called and Dulany read to it a letter that had been written by him to the committee, which the Council approved. In this letter Dulany declared that as Provincial Secretary he had given a large bond for the security and care of the records in his office; that after the Lower House is prorogued its authority ceases during the recess, and that this authority cannot be continued to particular members of the house by a Resolve which is not concurred in by the Upper House; that his authority as Secretary is derived from the Proprietary alone and not from the Assembly, and that the custody of books and papers is in him alone; that he cannot comply with their request as a Committee, but that as individuals, assuming no authority, it will be a pleasure to him to comply with any reasonable request to examine records that they may make (*Arch. Md.* XXXII, 180-185).

Later references by the Governor to this matter indicate that he believed that the demand for books and papers was not made in good faith and with the view that it would be complied with, but that the Lower House, finding that it could not raise sufficient funds for the immediate support of an agent in Great Britain by popular subscription and by the "Liberty Lottery", sought to give to the public the impression that their appeal to the Crown for its backing to secure a support for such an agent had been frustrated, not because of the failure of these schemes, but because they were not allowed to have access to the records upon which a proper presentation of their case could be made to the Crown.

PARISHES, CHURCHES, CHAPELS, CLERGYMEN, AND RELIGION

An earnest endeavor was made by both houses of the Assembly at the 1768 session to establish some form of supervision and discipline over the clergy of

the Established Church, all of whom owed their appointments to the Lord Proprietary. Under the law the vestries of the several parishes had no say in the selection of the rector or curate, nor when once inducted, did either the Proprietary, or the Governor, or the vestry have power to remove them. While the great majority of the clergymen of the established church holding benefices in the Province were conscientious and God-fearing men, at this period an unusually large number of disreputable clergymen were an offence to the public. The most conspicuous and notorious of these was the Reverend Bennett Allen, then Rector of All Saints' Parish, Frederick County, and other parishes, who for years kept religious and political affairs in Maryland in an uproar. Another flagrant offender was the Reverend Nathaniel Whitaker, Rector of Coventry Parish, Somerset and Worcester Counties, who had recently died, and who to quote Sharpe, writing in 1768, "by his Sottiness & immoral Behavior had long been considered an intolerable Burthen by the Parishioners" (*Arch. Md.* XIV, 480). We also owe to Sharpe the following picturesque descriptions of three other contemporary clergymen: the Reverend Neill McCullum of Dorchester Parish, Dorchester County; the Reverend Andrew Lendrum, of St. George's Parish, Baltimore County; and the Reverend Richard Brown of King and Queen Parish, St. Mary's County. McCullum who "by reason of his Sottishness has for many years been absolutely unable to officiate in the Church or to discharge any part of his Duty"; Lendrum was "said to be not only an habitual Drunkard but also to live in Adultery"; Brown had been "lately accused of murdering one of his Slaves & actually fled thereupon to Virginia where he remained several Months till his Son, who could be the only positive Witness against him could be ship't away thence to Scotland . . . his Parishioners consider him as a very bad man none of them will even yet attend Divine Service at his Church" (*Arch. Md.* XIV, 480, 507). The immoralities of the Reverend Richard Brown, a native of Charles County, Maryland, are also to be found fully narrated in the report upon him by the Committee on Aggrievances and Courts of Justice, filed in the Lower House on June 22, 1768. It appears that Brown, who had become Rector of King and Queen Parish, in 1751, had lived out of his parish for more than three years, and this without employing a curate to officiate in his stead. Lately returned to his parish "his long course of immoral conduct and his being under a prosecution for the supposed murder of a negro has determined his parishioners universally not to hear him; that the growth of Popery and superstition are, as may be expected, attendant consequences of such remiss and immoral conduct on the part of a clergyman." The committee concluded by saying that their attention had been directed to the matter so late that it could not make as full an inquiry and examination as was called for, but that it felt a "strict inquiry into the causes of the apparent decay of the established religion" in the Province should be made (pp. 410-411). It will be remembered that St. Mary's County was the stronghold of Roman Catholicism in the Province.

The case of the Reverend John Macpherson, a native of Scotland and the Rector of William and Mary Parish, Charles County, who for some time, had been in prison for debt, seems to have involved financial carelessness, rather

than other forms of immorality. Macpherson had come to Maryland in 1751 and had been rector of William and Mary Parish, Charles County, since 1757. He had been, for some time, a prisoner for debt in the Charles County jail, when at the 1768 session, he petitioned for relief (p. 287). The Lower House appointed a committee of five, with John Hanson, of Charles County as chairman, to examine into the matter and report to the house (p. 358). The committee reported that Macpherson was so largely indebted to a number of persons that there was no probability of his being able to extricate himself without legislative relief. His annual income as rector, derived from the clergy tax of 30 pounds of tobacco per poll, levied upon the parish inhabitants, was about 26,000 pounds, his glebe land was now rented for £10 currency a year, and he also had the income from some thirteen or fourteen working negroes belonging to the glebe of the parish. What, if anything, he derived from his interest in the Cudbear Works in Scotland, the committee had not learned (pp. 366-367). The committee advised that all this income be assigned to trustees for the benefit of his creditors, and an act to this end passed. The house concurred with the report and a bill was ordered to be drawn and brought in for his relief (p. 383). After slight amendment in the Upper House this bill was passed (pp. 318, 406). The preamble recited the facts enumerated above in the report, adding that Macpherson had offered to give up his whole estate, including his future income as rector of William and Mary Parish. Three prominent men were appointed trustees for the creditors. The rector, who of course retained his benefice, was allowed to keep his wearing apparel and library; the trustees were directed to reserve out of his income and pay to him for his support and maintenance 11,000 pounds of tobacco out of his estimated salary as rector of 26,000 pounds, the balance of his income from this and other sources to be paid annually to the trustees for the benefit of the creditors. The usual provisions in acts for insolvent debtors for the protection of both the creditors and the debtor are incorporated in the act (pp. 465-468). Macpherson seems to have continued to serve as rector of this parish until his death in 1785.

Outraged by the offenses against decency by so many clergymen of the established church, a bill drawn up by a committee consisting of such leading members of the Lower House as Johnson, Hollyday, Ringgold, Murdock, Edward Tilghman, Matthew Tilghman, Chase, Allen, and Paca, was introduced on June 8, 1768, as supplementary to the old law for "establishment of religious worship in the Province according to the Church of England." Under the proposed regulatory law all beneficed clergy were forbidden to be absent more than two months in any one year from their parishes, this provision being aimed at those rectors who collected their full salaries and farmed out their duties to poorly paid curates. A board was to be created, composed of the Governor, three clergymen, and three laymen, to be appointed by him, "to exercise a Kind of Visitorial Jurisdiction with disciplinary powers over such Ministers as may be accused of any notorious or scandalous Behavior" (p. 361; *Arch. Md.* XIV, 504). This bill for the regulation of the clergy passed the Lower House by a vote of 35 to 2, and also the Upper House, where it was strongly backed by both Dulanys, after it had been amended so that it

was not to be operative until nine months after its passage, before which time it was felt that the Proprietary's attitude towards such legislation could be learned (pp. 304-305, 315, 319, 361, 383, 400, 405, 406, 412, 420). But Sharpe, although favorable to the bill, felt that he should not give his assent to any act that might affect the prerogative of the Proprietary even with the nine-months' suspension clause, until he had learned the attitude of Frederick, Lord Baltimore, towards it. Under date of June 23, 1768, the Governor wrote the Proprietary that the bill had been "laid aside by him until he knew his Lordship's sentiments upon it" (*Arch. Md.* XIV, 510). It was not until three years later, when the Proprietary had finally acquiesced in its passage, that legislation of the same general character was passed at the October-November, 1771, session (Hanson's *Laws of Maryland*, 1787; Acts of 1771, chap. xxxi).

Coventry Parish, Worcester County, had had for twenty years as its rector, the notorious Reverend Nathaniel Whitaker, who died November 3, 1766. After his death Governor Sharpe had written to the Lord Proprietary of Whitaker, that "by his Sottishness and immoral Behaviour [he] had long been considered an intolerable Burthen by his Parishioners" (*Arch. Md.* XIV, 480). Daniel Dulany referred to him as "a Man not only unfit for the Station in which he was placed, but so infamously profligate that it would have been a discredit to any Person of Character to admit him to the Regard and notice of a common acquaintance" (*Arch. Md.* XXXII, 225). A petition, signed by 183 parishioners of Coventry Parish, of whom six were vestrymen and two church wardens, dated May 16, 1767, is printed in the Appendix. It requests the Governor to appoint as Whitaker's successor a rector who met the approbation of the parishioners, and suggests the name of the Reverend Dr. Thomas Bradley Chandler (pp. 513-517). It will be recalled that the appointment of the clergy in Maryland was the exclusive prerogative of the Lord Proprietary and one which he jealously exercised. Five prominent parishioners of Coventry Parish on November 25, 1766, two days after Whitaker's death, signed a letter to Governor Sharpe, urging that no appointment be made without the approbation of the congregation. This letter requested that the Reverend Andrew Morton be appointed rector, the writers saying that "you will not conceive that we claim this as an absolute right", but expressed the hope that they may be granted this indulgence as more than twenty years had passed without their having had the Gospel preached to them except by visiting clergymen and this at their own expense (*Arch. Md.* XIV, 349). An undated letter, but one obviously written somewhat later, from the vestry and church wardens of Coventry to Sharpe, shows that the Governor had without consulting the parishioners appointed the Reverend John Rosse. This appointment resulted in such violent opposition developing against him that he had refused to accept (*ibid.* p. 363-369, 480-481). Sharpe then appointed the Reverend Philip Hughes as rector. His appointment seems at first also to have aroused opposition, which however, soon quieted down (*ibid.* 481). It was doubtless such episodes as these that contributed to the attempt at the 1768 session to secure the passage of the law for the regulation of the clergy.

At the May, 1766, session, petitions were presented asking for legislation affecting five parishes, Chester in Kent County, Somerset in Somerset County, Stepney in Somerset and Worcester Counties, William and Mary in Charles County, and St. Paul's in Baltimore County. Neither the journals of the Upper nor the Lower House for this session disclose the nature of three of these several petitions, but the proceedings of the November–December, 1766, session, do. Such petitions were first presented in the Upper House, and, if approved, were referred to the Lower House. Here they might be favorably acted upon, rejected, or referred to the next Assembly. Chester Parish sought authority to erect a Vestry House and enclose a churchyard which was not favorably acted upon at this session (p. 25), but at the November–December, 1766, session, authority was granted; Somerset Parish sought authority to enlarge the Church at Monie and to build a chapel of ease at Princess Anne, which was not acted upon by the Lower House at this session (pp. 5, 24), but was also granted at the next session. The petition from St. Paul's Parish, Baltimore County, related to the nomination of inspectors by the vestry for the Baltimore Town tobacco warehouse, and an act for this end was passed (pp. 85–87). The Stepney Parish petition, which was laid on the table in the Lower House (pp. 7, 28), doubtless asked for authority to build two chapels of ease, one on the Wicomico River and one near Spring Hill, as an act authorizing these was passed at the 1768 session, and will be referred to presently. The character of the petition of William and Mary Parish in Charles County (pp. 8, 48) is not disclosed, nor does later legislation reveal its character.

Four parishes sought legislation at the November–December, 1766, session; these were Christ Church Parish, Queen Anne's County, Chester Parish, Kent County, Somerset Parish, Somerset County, and Trinity Parish, Charles County. A petition from the Vestry of Christ Church Parish, Queen Anne's County, the nature of which is not disclosed, was presented (p. 101), but no action seems to have been taken upon it. It may be recalled that at the November–December, 1765, session, an act had been passed changing the bounds of this and adjoining parishes in Queen Anne and Talbot Counties (*Arch. Md.* LIX, xviii, 314–319). At the November–December, 1766, session, an act was passed for the erection of a vestry house in connection with the parish church at I.U. in Chester Parish, Kent County, and for enclosing the churchyard, these to be paid for out of the surplus left over from the erection of the parish church (pp. 99, 100, 104, 144, 151, 156, 158, 225–227). It will be recalled that the erection of a parish called Chester with the parish church at I.U. and with a chapel of ease at Chestertown, had been authorized by the 1765 Assembly (*Arch. Md.* LIX, lvii, 299–302). As will presently be seen, at the 1768 session authority was sought and obtained to build a new brick chapel in Chester Town to replace the old building used as a chapel, purchased under authority of the act of 1765. At the November–December, 1766, Assembly, legislation was secured by Somerset Parish in Somerset County to permit the abandonment of a chapel of ease known as "King's Mill Chapel", because "it is now much decayed and in a little time will be dangerous . . . and too small for the reception of the Congregation thereto adjacent, and not so well situ-

ated as might be, and also that Monie Church in the same Parish is too small for the Parishioners that attend"; and authority was granted to abandon the chapel of ease at King's Mill and to levy a tax of 144,000 pounds of tobacco upon the inhabitants of the Parish for the purchase of land and the erection, at a cost of £800, of a chapel of ease at Princess Anne Town, and for the enlargement of the church at Monie at a cost of £100 (pp. 96, 101, 102, 104, 150, 153, 157, 167, 227-229). The parish authorities of Trinity Parish, Charles County, and the principal inhabitants of Benedict Hundred in that parish, petitioned the Assembly for permission to levy a tax of 50,000 pounds of tobacco to purchase land and to erect thereon a chapel of ease "at the west entrance into Villet's old fields near the Main road that leadeth from Bryon Town to Benedict, the said situation being Convenient not only for the inhabitants of Benedict Hundred but many others Contiguous thereto." An act to this end was passed (pp. 110, 113, 152, 167, 180, 183, 185, 186, 231-232).

At the 1768 Assembly matters relating to four parishes came up for consideration. These were Chester, Kent County; Stepney, Somerset County; St. John's, Queen Anne's County; and St. Anne's, Anne Arundel County; all of which came before the Assembly in the form of petitions to the Upper House by the vestries, church wardens, and inhabitants of the parishes. If the petition seemed meritorious to the upper chamber it referred it to the Lower House but, if not deemed worthy of consideration, it was at once rejected without reference.

Chester Parish sought and obtained in 1768 legislation authorizing the building of a new and larger chapel of ease in rapidly growing Chestertown. The act of 1765 had authorized the expenditure of 50,000 pounds of tobacco to enlarge the old building in Chestertown used as a chapel. This money, apparently, had not been spent and it was now proposed to add to that amount contributions made by "many well disposed people [who] have Voluntarily Subscribed large Sums of Money to the Amount of 500 Pounds or Upward." The chapel was to be built on a new site on ground owned by the public at the corner of High and Cross Streets, the building to be of brick with a stone foundation, and it was to be sixty feet long by forty feet wide, and to be two stories high. Pew holders in the old chapel were to have as good pews in the new building as in the old; subscribers to the £500 fund and residents of Chestertown to pay the cost of the erection of the pews, these to be drawn by lot; subscribers of over £10 were entitled to a full sized pew; those under £10 to have a half pew. One pew holder, Thomas Marsh, was to have a preferred status, the law providing that the pews "shall be in all Numbered except the one Mister Thomas Marsh may Choose he having Previously subscribed 70 Pounds Current Money on Consideration of having his choice of a Pew in the said Chapel" (p. 434). Pews not otherwise disposed of as above might be purchased in the order of application by any freeholder of the parish owning at least fifty acres of land (pp. 302, 303, 307, 312, 345, 357, 375, 380, 386, 391, 395, 432-436). It is to be noted that at the September-November, 1770, session, a bill was passed authorizing the expenditure of £360 current money for furnishing and enclosing the chapel at Chestertown and enclosing the

graveyard (Hanson's *Laws of Maryland*, 1787; September–November, 1770, chap. xv).

The petition of the vestry and sundry inhabitants of St. John's Parish, Queen Anne's County, presented to the Upper House on June 17, 1768, represented that "the Parish Church is greatly impaired and there is a necessity for building a Chapel of Ease and that there is now in the hands of the Vestry of the said Parish about the sum of Twelve hundred Pounds Current Money to be applied for that Purpose—[and that as] there are various Opinions amongst the Parishioners—whereon it may be proper to place the said Church and Chapel of Ease, it is therefore thought fit by this General Assembly for settling all differences amongst the Parishioners that the Assembly decide" (pp. 301, 463-464). The proceeds of a tax not exceeding 100,000 pounds of tobacco were authorized, to be added to the £1200 already in the hands of the Vestry, to build and furnish a parish church on the two acres at Nine Bridges given by Mr. Thomas Wright, and a chapel of ease at Tuckahoe Bridge where the present church stands. Authority was also given to sell the two acres at Chickens Bridge formerly acquired for erecting a parish church (pp. 464-465). It is to be noted in this connection that at the 1769 session an act was passed for determining the bounds of four parishes in Queen Anne's and Talbot Counties, one of which was St. John's Parish.

Stepney Parish in Somerset and Worcester Counties, as the result of a petition from the Vestry and inhabitants (p. 289), obtained authority to build chapels of ease at the head of Wicomico River and at Spring Hill. The preamble of the act recites that the chapel of ease known as Godderd's Chapel "is not only much out of Repair and unfit to attend divine Service therein but inconveniently situated for the Parishioners and that their Chapel of Ease to be repaired" (p. 436). Authority was granted to the justices of Somerset and Worcester Counties to levy a tax of 160,000 pounds of tobacco for this purpose, to be apportioned against the taxable inhabitants of the Parish residing in these two counties, 100,000 pounds to be expended for the purchase of a lot of two acres at the head of and on the south side of Wicomico River in Somerset County above the mill of William Venables and for the erection thereon of a chapel of ease; the purchase of a two acre lot and the erection of a chapel of ease near where the Spring-Hill Chapel in Somerset County stands (pp. 436-438). At the September, 1770, session, authority was given to Stepney Parish to purchase a two acre lot on the north side of Broad Creek near the bridge, and to erect thereon a chapel of ease, the justices of Somerset and Worcester counties respectively to levy a tax of 80,000 pounds of tobacco in the years 1770 and 1771 upon the taxable parish inhabitants for that purpose (Hanson's *laws of Maryland*, 1787; September, 1770, chap. viii). The Assembly at the 1771 session authorized an additional tax of 60,000 pounds of tobacco to enable Stepney Parish to complete three chapels of ease, one at Spring Hill, one at the head of Wicomico, and one at Broad Creek; and "to remove certain doubts" declared the parish church to be the church at Green Hill (*ibid*; Acts of 1771; chap. ix).

A petition from the Rector and Vestry of St. Anne's Parish (Anne Arundel

County) received by the Upper House on June 14, 1768, was referred to the Lower House for consideration (p. 303). As no mention of this is entered in the journal of the Lower House, it is probable that it was not accepted for filing because it had not been presented within the limit of time required by the rules of the Lower House (p. 382). Its nature is not disclosed. The petition of St. Paul's Parish, Baltimore County, for authority to levy a tax to employ an organist is discussed later (p. cvi).

Roman Catholics. The Catholic question did not flare up violently in the General Assembly during the 1766-68 period, but it looms in the background in two bills which came before it. An old bill "for the security of purchasers and others claiming by and from aliens", excluding Roman Catholics from the benefits of the act, had since 1758 been regularly passed by the Lower House, and as regularly rejected on this account in the Upper House (*Arch. Md.* LVI, lxiv; LVIII, lxv; LIX, xxxv). The bill again came before the November-December, 1766, and the May-June, 1768, sessions, was passed by the Lower House, amended by the Upper House to extend its benefits to Catholics, and rejected on this account by the Lower House (pp. 114, 187, 190-191, 378, 388, 303, 307). The law providing for apprenticing orphans and children abandoned by fathers, passed at the November-December, 1766, session, provided for their placement in Protestant families, but made no exception for children of Roman Catholic parents (pp. 235-238).

LANGUISHING PRISONERS FOR DEBT

At each of the three sessions held during the 1766-1768 period acts were passed for the relief of various "languishing prisoners" confined in the several county jails for debt. The terms of all three of the acts are identical with those passed at recent preceding sessions. Such relief acts have already been discussed at length by the editor in a previous volume of the *Archives* (LIX, lix-lx). Apparently all of the cases were brought to the attention of the Assembly by petitions from individual debtors, telling of their sufferings, the length of imprisonment, the circumstances resulting in their plight, and their willingness to make all restitution possible to their creditors. For unexplainable reasons none of the original petitions for this particular period have been preserved. To show the extent of imprisonment for debt in Maryland at this time it is to be noted that in this three-year period 200 debtors were released by legislative action, and there were many others to whom relief was not granted. To prevent petitions trailing in during the entire session, the Lower House, towards the close of the May, 1766, Assembly, passed a resolution, in the form of a standing rule, that thereafter no petition for the discharge of a prisoner for debt would be entertained unless advertisement of intention to apply for Assembly relief were "set up at the Court House door" of the respective counties at least thirty days before the meeting of the Assembly, and then to be certified to by at least three justices of the county (p. 63). The disgraceful conditions found in the Anne Arundel County jail in 1766, narrated in another section (pp. xxi-xxii), tells of the horrible conditions in some of these county jails.

The act of May, 1766, as finally passed, granted relief to 32 debtors, of whom two were women (pp. 68-73). The bill for relief was prepared in the Lower House and promptly passed, but when it reached the Upper House nine additional names were added. Four of these were stricken out by the Lower House after the bill was returned to it. The grounds for striking out these names were as follows: Henry Heinzman had declined to accept the offer of his principal creditor to release him from jail if he would give him his bond; John Davis, another prisoner "hath been guilty of a Riot in the gaol"; George Beall not only "is Strongly Suspected of acting fraudulently towards his Creditors", but has not been recommended by the magistrate of his county, nor have his creditors been notified; John Berry has already been released (pp. 8, 52). The Upper House then accepted the bill as revised in the Lower House, and it was duly passed (p. 10, 53, 54, 68-73).

The relief act passed at the November-December, 1766, Assembly was for the benefit of 59 prisoners, two of whom were women (pp. 247-252). Again a difference arose about some of the debtors whose names had been included in the Lower House bill, resulting in the exchange of sharp messages between the two houses. The Upper House struck out the names of Mayberry Helms, Jr., of Baltimore County, and of John Duncastle of Charles County. Relief for Helms had been opposed in a petition filed by John Slye and Daniel Barnett, on the ground that he had sought to defraud his creditors by placing his property in trust with his father, Maybury Helms, Sr., but after a hearing at the bar of the Lower House, it was found "to the universal satisfaction of this House" that no fraud had been committed or intended; nor had any reasons been shown for refusing relief to John Duncastle (pp. 193, 201). The Upper House replied that its opposition for relief to Helms was not based on the Slye and Barnett representations, but on the belief that he had defrauded no less a person than Nicholas Maccubbin; and that in the case of Duncastle, the objector was Mr. David Ross, to whom Duncastle had been very unfair (p. 126). The Upper House seems to have had its way, for the bill was passed without the reinstatement the names of Helms and Duncastle (p. 247). Nor are their names to be found in the 1768 relief act. They may have made some settlement with their creditors and were released.

At the 1768 session the relieving act released 108 debtors, of whom two were women. Petitions for relief had numbered 119. The bill in this instance had easy sailing, no changes being made in the original draft in either house, nor did any messages pass between the two houses on the subject (pp. 296, 468-473). At this same session the Reverend John Macpherson, rector of William and Mary Parish, St. Mary's County, who, for some time had been a languishing prisoner for debt in the county jail, had the honor of having a special act for relief passed for his benefit. This gave him the privilege of retaining his library, clothes, and a part of the salary he received as rector (p. 465). Macpherson's case is discussed more fully in the section on clergymen (pp. lxx-lxxvi).

It may be recalled that at the November-December, 1765, session, Parker Selby, a delegate from Worcester County, had introduced a bill in the Lower

House, of a more general scope than the acts just discussed, "for the relief of insolvent debtors", but consideration of it had been postponed until the next session (*Arch. Md.* LIX, lx, 154, 212, 213, 229). At the May, 1766, session, this bill, with the consent of the house, was again brought in by Selby, to meet the same fate that it had at the previous session, action upon it being again postponed until the following session (pp. 26, 59). It failed of passage again at the November-December, 1766, session (pp. 118, 181, 186-187, 190), and was not heard of at the 1768 session. No copy of either of these bills has been found, but in 1774 a bill of general scope, doubtless along similar lines, was passed under which insolvent debtors, without waiting for legislative action, could, under certain circumstances, bring their cases for determination before three justices of the county court (Hanson's *Laws of Maryland*, 1787; Acts of 1774, chap. xxviii).

NANTICOKE INDIANS

Nanticoke Indian affairs occupied much of Governor Sharpe's attention in his opening speech to the 1768 Assembly. He said that "since the last session he had received Letters from Sir William Johnson, His Majestys Superintendent of Indian Affairs in this District of North America, relative to a Representation which had been made to him on behalf of the Maryland Indians, some of whom are, it seems, desirous to remove to Ossiningo [Otsaningo], and be incorporated with the Six Nations, if they may be permitted to dispose of the Lands, which, by the Legislature of this Province, were heretofore appropriated to the Use of these Peoples Ancestors" (p. 282). Sir William Johnson's letters, a petition from the Nanticoke Indians, and the fullest information obtainable concerning the Indians, together with a list of the Maryland lands occupied by them were sent by the Governor so that the Assembly could determine a reasonable compensation to them if the laws restraining their selling their lands were repealed. The Governor asked that this matter be given prompt consideration because the person [Amos Ogden] sent by Sir William to act for him and for the Indians, was now in the Province, awaiting their deliberations (pp. 281, 282). Both houses promised prompt consideration. The Upper House referred the petition of the Indians and various papers relating to the matter to the Lower House, and this house appointed a special committee of six, headed by Thomas Johnson, to investigate and report its findings (pp. 286, 333, 335-337).

To make the situation clear to the reader, it should be explained that a migration north of the Nanticokes from Maryland which had begun about the year 1742, had continued during the next two decades until by the year 1768 the greater part of the tribe had settled on the headwaters of the Susquehanna at Otsaningo, the present Binghamton in Broome County, New York. This migration had been a leisurely trek up the Susquehanna Valley extending over a period of several years, with long stops as the Indians moved from place to place through Pennsylvania, carrying with them the bones of their important dead (*Penna. Mag. of Hist. and Biog.*, 1943, pp. 345-355).

The *Proceedings of the Council of Maryland* and the *Correspondence of Governor Sharpe* throw an interesting side light upon this hegira of the

Nanticokes. Sir William Johnson wrote to Sharpe under date of May 1, 1767, that representatives of the Otsaningo Nanticokes were on their way to Maryland for the purpose of persuading those remaining in Maryland to join them. At a Council meeting held on July 13, 1767, it is recorded that Amos Ogden, their interpreter, had arrived with a group of eleven Indians. The Governor gave Ogden and his Indians a letter addressed to Col. Henry Ennals and Charles Dickinson, Esquire, of Dorchester County, asking them to treat the visitors with consideration and to make enquiry as to the complaints of the Indians that white squatters had settled on the Nanticokes' Dorchester County lands, and saying that if the Indians on the Nanticoke and Choptank rivers wished to leave Maryland he was inclined to encourage them to do so. The Governor gave a pass to Ogden and the eleven Indians with him to travel freely through the Province to Dorchester County and to return. The Council made presents of match coats, blankets, and linen, bought from Lancelot Jacques, at a cost of £12:14:7 1/2, to the eleven visiting Indians whose names are all given in the record (*Arch. Md.* XXXII, 207-212). Sharpe on August 20, 1767, wrote Sir William of the meeting, explaining the status of the Nanticoke lands in Maryland (*Arch. Md.* XIV, 418), and on March 25, 1768, Sir William replied that he had seen Captain Ogden about the matter, and was now giving him a power of attorney to act for the Nanticokes before the Maryland Assembly, and that any money received in settlement would on their return be promptly distributed among the Indians in his presence (*Arch. Md.* XIV, 471-472). On June 27, 1768, Sharpe wrote Johnson telling him of the action of the Assembly (*ibid.* 511-512).

The Lower House committee, in its report, dated May 28, 1768, stated that by virtue of an act passed in 1704, a tract of land lying in Dorchester County on the north side of the Nanticoke River, had been set aside for the use of the Nanticoke Indians as long as they continued to live on it; that by another act passed in 1723 for quieting the possessions of the Indians on the Nanticoke and Choptank Rivers, land were confirmed to them and their descendants as long as they shall use and not totally desert it; by an act passed in 1711, a tract of 2500 acres, valued by a jury at 50,000 pounds of tobacco, lying in Somerset County on Broad Creek, and another of 500 acres, valued at 10,000 pounds of tobacco, on the south side of Broad Creek, was laid out in the same way for the use of these Maryland Indians, the Journal of Accounts for these years showing that 60,000 pounds of tobacco were paid to the former owners for these tracts, and 8880 pounds of tobacco for improvements and expenses (pp. 335-337).

From the committee's report and an accompanying message from the Lower House to the Governor, it appeared that the reversionary interest of certain of these lands, those on the Nanticoke River, was vested in the heirs of Colonel John Rider of Dorchester County, and that Rider's daughters and coheirs—Sarah, wife of Robert Darnall, Anne, wife of Henry Steele, and Dorothy, wife of John Henry—claimed 1664 acres in the bounds of the tract laid out in 1704 in Dorchester County on the north side of the Nanticoke River, which, they asserted, reverted to them under the terms of the act, whenever the Nanticoke

Indians should desert it, it not appearing to your committee that any compensation had ever been paid to Colonel John Rider for the land. It also appeared that a certain George Kirkman and the heirs of Colonel William Ennalls also claimed lands in the Nanticoke River reservation, but that these later claims did not seem to be valid as the lands were granted to them subsequent to the passage of the act of 1704; nor does it appear to the committee that there are any Indian claimants to these Nanticoke River tracts granted in 1704, or to the tracts on Broad Creek granted in 1711, other than the three who signed the petition to the Assembly, namely, one Indian woman and two Indian boys on the Nanticoke River tract; and that there are none on the Broad Creek tract which lies partly in Maryland and partly in Delaware. The committee concluded by saying that none of the Maryland Indians, except these three Nanticoke petitioners are anxious to remove out of Maryland, the Choptank River Indians choosing to live in Maryland and to enjoy the provisions made for them (pp. 335-337). The house thereupon voted to reject the petition of the Nanticoke Indians, and the committee was ordered to prepare an address to the Governor, giving the reasons for this action. In this address of the Lower House it is stated that the Nanticoke River tract belonged to several owners; that the lands of which the Rider heirs claimed the reversion had been taken up many years before the act of 1704 was passed; that the Lower House felt that the intention of these acts was to provide a dwelling place and a comfortable subsistence for the Indians living on the Nanticoke and Choptank rivers so long as they remained in Maryland, and that to permit the very few that are now left to sell these lands would neither be for the interests of the Indians themselves nor consistent with justice to the public and the individuals concerned (pp. 338-339). Perhaps the Lower House felt a settlement with the few Nanticoke Indians on the basis of anything like the then market value of their lands involved larger payments than were felt justifiable, and that the claim of their agent, Ogden, was in the nature of a hold-up; and also apparently because the original petition did not state that practically the entire tribe already had moved north.

Notwithstanding the emphatic rejection by the Lower House of the Nanticoke petition, just ten days later, on June 7th, the Governor sent another message to the Lower House, transmitting with it a revised petition by Amos Ogden, the Nanticokes' agent, which recommended a settlement with the Indians on the basis of a small payment and the passage of an empowering act. The Governor, in his message to the Lower House, said that Mr. Ogden's revised petition, restated the entire matter in a way of which he had not been before apprised, and that this might also induce the house to come to a different resolution. He said that Ogden regretted that he did not have the opportunity to present the matter personally to the Assembly. He explained that Ogden represented the entire Nanticoke tribe, who, with the exception of the old woman and the two children remaining in Maryland, had already actually incorporated themselves with the Six Nations, and that they were, therefore, "willing to accept a very small compensation in proportion to the actual value of the lands in lieu of any claim they or their heirs may have—by virtue of the acts of the As-

sembly", and that Ogden, as the attorney for the Nanticoke tribe, including the three remaining in Maryland, would relinquish full possession to those to whom the lands, when fully deserted, would fall (pp. 358-359). This offer by Ogden met the approval of the Lower House, and a committee of four, headed by Johnson, was ordered to bring in a bill to this end, a bill which, under the title "An Act for granting the Nanticoke Indians a Compensation for the Lands therein mentioned" was introduced and, after amendment in the Lower House, was passed and became a law (pp. 359-365, 370, 395, 429-431). A petition from Sarah Darnall and the other heirs of John Rider, a copy of which has not been preserved, had been previously presented on June 2, 1768, to the Assembly (pp. 294, 352); this doubtless asked for the action which was taken.

The act as passed recited the several facts presented in the various messages, petitions and reports already noted, and authorized Ogden, under a power of attorney from the few Nanticokes remaining in Maryland, in consideration of the payment of 666 $\frac{2}{3}$ dollars to him, to release all claims of the Nanticoke Indians to the three tracts of land in Dorchester County. The preamble declared that this settlement was approved and confirmed by Sir William Johnson, his Majesty's Superintendent of Indian Affairs. The act went on to vest the three tracts of land in Dorchester County in the Rider heirs. It also directed that the Broad Creek lands, for which there were no claimants, be sold to the highest bidder and the proceeds paid over to the Treasurer of the Eastern Shore for the use of the Province. Commissioners were appointed to carry the act into effect (pp. 429-431). As an echo of this settlement with the Nanticoke Indians, the Governor, in a message to the Lower House, dated June 13, 1768, requested that he be reimbursed for £33:12:3, which he had in the previous summer, advanced for match-coats, provisions, and conveyances for the Indians who had come from Ossiningo [Otsaningo] to invite their brothers of this Province "to go back with them and become one people with them" (p. 374). By a vote of 20 to 13, the Lower House agreed to make this allowance and the sum of 123 $\frac{1}{3}$ dollars was allowed the Governor by ordinance (pp. 374, 392, 415). At the 1769 session the commission reported to the Assembly that they had received £1152:7:9 from sundry persons for the lands directed to be sold—the Broad Creek lands—and that the expenses of the sale were £76:11:11 $\frac{1}{2}$ (*Votes and Proceedings of the Lower House, 1769*; page 212).

ARMS AND AMMUNITION

As was usual, following the election of a new Assembly, a Committee of five, on this occasion headed by Thomas Cresap, was appointed at the 1768 session to inspect into the state and condition of the arms and ammunition of the Province (p. 346). Their report shows that the military supplies were stored in various places in the custody of the Provincial armorer, whose name is not told us. Depositories were: (1) Conference Chamber, (2) above the Conference Chamber, (3) the cellar under the Conference Chamber, (4) the Powder House, (5) the Half-Moon Battery. The arms and band instruments

listed correspond closely to those entered in the 1765 report (*Arch. Md.* LIX, lxii-lxiii, 146-147). Arms and ammunition included muskets, carbines, pistols, broadswords, swords, bayonets, daggers, halberds, cutlasses, sword-slugs, buff-slugs, belts, holsters, cartouche boxes, gun flints, trumpets, drums, and drumsticks. There were fourteen barrels and seventy-two half barrels of gunpowder, as well as bar lead and musket balls in the Powder House. The fifteen cannon on the Half Moon Battery were reported to be in better condition than in 1765, as were the arms in the Council Chamber, but those in the cellar of the Council Chamber would, unless removed, be ruined by rust, the present and late armorers having very much neglected them. The Powder House was in such a ruinous condition that unless soon repaired, it would fall down. The report was signed by Edward Ford, the Clerk of the committee (pp. 363-365). Although the name of the armorer is not mentioned in the journal of the Lower House, there is no doubt that the "late armorer" was Henry Walls, who had been appointed in 1748 at a salary of £35 a year, but, owing to the impasse resulting from the failure of the two houses to agree on a Journal of Accounts, had received no pay at all in the 1756-1766 period (*Arch. Md.* LVIII, lxix-lxx). The testamentary records show that Henry Walls had died in 1767, apparently insolvent, as Charles Carroll, doubtless as creditor, administered upon his estate. It is of interest that at the 1668 session a petition to the Assembly, the nature of which is not disclosed by the record, was presented on June 7th by Elizabeth Walls, who was probably the late armorer's widow. This was referred by the Upper House to the Lower House, where, after a second reading, it was rejected (pp. 290, 348, 349). Nor does the record disclose who had been appointed armorer following the death of Henry Walls.

THE CRIMINAL LAWS AND CRIME

In his opening speech to the 1768 Assembly Governor Sharpe had called attention to the fact that a careful review of the criminal laws in force in Maryland was required, as it was often uncertain whether or not a law was actually in force, resulting in "A Tenderness towards Convicted Persons, they may not seem to deserve." He urged that "some Criterion be Established so plain and explicit for determining what Criminal Laws are in force here, that all Doubts, on this Head, may in future be prevented" (p. 282). This confusion was unquestionably due in part to changes in Maryland criminal statutes and in part to the fact that English criminal laws were applicable in the Province unless they had been specifically superseded by Maryland acts, in many cases a question of no little uncertainty. There was no action taken at this session upon the recommendation of the Governor that the Assembly review the criminal law of the Province. During the session Sharpe brought to the attention of the Assembly two outbreaks of crime.

On May 28, 1768, and again on June 6th, Governor Sharpe sent messages to both houses in regard to recent outrages which had occurred on both the Eastern and Western Shores. In his first message he said that the details of this "horrid Piece of Villainy" would be found in an advertisement which had appeared in the *Maryland Gazette* of which he enclosed a copy, together with

an offer of a reward of £10 by the husband of one of the victims, for the apprehension of either of the two villains involved, who will give evidence that will convict the other, this offer of a reward being contingent upon the pleasure of the Governor to pardon the informer (pp. 285, 339, 340). It appears from the advertisement that the two burglars had broken into the house of Joseph Calder at Hunting Ridge just east of what is now Catonsville, Baltimore County, when Calder was away from home. The villains had rummaged below and had then entered the chamber upstairs occupied by his wife and a young lady "whom they treated in a Shocking and most barbarous manner, first whetting their Knives before them, then Seizing them by the throats, with many Motions as if they would Murder them, except they would give their Money, and kept them in that Miserable Condition for four or five Hours, having wounded my Wife, in the Hand and the Young Lady very terribly in the Shoulder." The Governor recommended that the Assembly offer a suitable reward "which may be Notified in my Proclamation" as "not long since an instance of a Similar nature happened in the same County", showing the necessity of vigorous measures (pp. 385, 386, 339, 340). The Lower House replied that "impressed with the just sense of the horrid crime mentioned in your excellency's message—[we] have resolved that the sum of three hundred dollars be applied to the apprehension of them", and asked that he offer this reward. The Governor at once issued his proclamation also offering a pardon to either of the offenders if he would "discover his accomplice (*Arch. Md.* XXXI, 234-236). There is a notice in the *Maryland Gazette* that indicates that the death sentence was imposed on both of them and that neither had turned State's evidence.

The Assembly, about a week later, by an identical message from the Governor to both houses, was informed that two negro slaves, Phil and Daniel, under arrest for breaking into the store of Clement Bailey of Nanticoke, Dorchester County, had, on the way to prison, escaped from the constable, and were still at large, and countenanced by certain white people, were threatening to burn the house of anyone active in apprehending them. The Governor asked whether it would not be a proper step to offer a reward for apprehending these audacious rogues which he would announce in a proclamation (pp. 295, 354). To this the Lower House replied that offers of rewards for escaping negroes guilty of felonies would not only entail large expense on the public, but would "tend to lessen the activity and spirit with which they have been generally pursued unless extraordinary rewards are constantly offered." The house advised further exertion of the magisterial power to apprehend criminals (p. 360).

CONDITION OF THE PUBLIC RECORDS

The bad condition of the public records of the Province was reported to the Assembly at the 1766 session and again in 1768. A committee of twelve of the Lower House, headed by Robert Tyler of Prince George's County, was appointed to inspect the papers and records in the public offices at the May, 1766, session, and handed in an exhaustive report upon the records in the Land Office, the Provincial Secretary's Office, and the Commissary's Office. No mention

is made of the records of the Governor and Council nor of the records of the Chancery Court which were apparently considered as Proprietary papers and therefore not subject to Assembly scrutiny. It was reported that in the Land Office the original land certificates were in the greatest confusion, that many had not been copied into the record books, and that the alphabets (indices) were incomplete and defaced; the judgments of the Provincial Court since 1765 had in part not been recorded and were badly indexed. The recording of the session laws escaped criticism. Severe criticism was directed at the various testamentary records in the Commissary's Office. It was said that many of the original wills and other papers had not been copied in the record books, and that many omissions and mistakes had been found in the recording of several which had been examined; that the alphabets were in poor condition. There was a general criticism of all the public offices in that the records "for a Considerable Time Past Appear to be made up Generally by Persons who write incorrect and unsettled hands." With this report were filed lengthy lists of the libers in the Secretary's Office and in the Commissary's Office. These lists are still of value and interest to those who work among the old provincial records (p. 18, 33-46). On the closing day of the May session, the Lower House sent an address to the Governor, calling his attention to the condition of the public records and requesting him to use his influence with the "Gentlemen who Enjoy such Public Offices", to secure from them "a more exact Discharge of Duty" (p. 62).

At the 1768 session, a committee, again headed by Tyler, was appointed to examine the public records and made another somewhat less detailed report. This examination disclosed that the records in the Land Office from 1745 to 1768 were now in good condition and had been well transcribed in the record books, but that before 1745 they were still in bad shape. In the Commissary's Office recent records had been well cared for but before the year 1764 mistakes in recording had not been corrected and many of these earlier records had not been copied at all. The committee also reported that the records in the Assembly Office, presumably the journals and the petitions, were also in the greatest confusion (pp. 355-357).

PUBLIC PRINTING AND THE GREENS

Jonas Green, the public printer, was at the May, 1766, session, by order of the Lower House, summoned by the sergeant-at-arms to appear at the bar of the house to be examined as to why he had omitted, contrary to the orders of the house, to insert in the printed *Votes and Proceedings* of the last session (that for November-December, 1765), the accounts of the clerks of the Upper House sent with the message of the Upper House, dated December 9, 1765. Green appeared before the bar of the house, and was examined on May 14, 1766, and ordered to print these accounts in the *Votes and Proceedings* of the May, 1766, session. The house debated at length whether he should be admonished or censured, for his failure to print these accounts. It at first voted that he should be admonished by the Speaker, and an admonition was drawn up, but it then voted that the matter be referred for further consideration. As there is no later reference in the journal to the episode it seems certain that

thus warned, Green was neither formally admonished nor censured (p. 23). It is not clear why Green failed to include these accounts of the Upper House clerks in the printed *Votes and Proceedings* of the Lower House for the November–December, 1765, session. They are to be found entered in full in the manuscript libers of the journals of this house and are thus part of the official Lower House record, and have already been printed in the *Archives* (*Arch. Md.* LIX, 115-130, 216). They did, however, appear in print later in a pamphlet with other material relating to the dispute about the clerks' salaries which was issued from the Green press in September, 1766. The title of this rare pamphlet is: *Province of Maryland. Council Proceedings from 10th of May, 1756, to the 12th Nov. 1764*. Jonas Green, Annapolis, 1766. It seems likely that Green escaped censure by the Lower House on the promise of the publication of this pamphlet containing the accounts.

No act for the publication of the Session Laws and the *Votes and Proceedings* of the Lower House, and "for the encouragement of Jonas Green", was passed at the May, 1766, session, but Green was ordered by the Lower House, on May 27th, to print the very recently enacted law "for reviving and continuing causes and actions in the High Court of Appeals and in certain county courts, and to distribute copies to the courts." It will be recalled that during the Stamp Act excitement no court sessions had been held, and had not an act of revival and continuance been passed all acts pending in the courts would have legally expired (pp. 64, 83-84). At the November–December, 1766, Assembly, the usual act was passed for printing the laws and *Votes and Proceedings* and "for the encouragement of Jonas Green" (pp. 238, 241). Why Green at this session made "a representation" to the Assembly and what was its nature, the journals do not disclose. After presentation in the Upper House on December 5th it was referred to the lower chamber, which promptly rejected it (pp. 131, 211-213). One can conjecture whether this "representation" had any connection with the episode which occurred at the preceding session when he was brought before the bar of the house for not having published certain accounts, or whether he wanted higher pay for his work as public printer, or whether he asked for payment for printing the Proclamations of Governor Sharpe announcing the repeal by Parliament of the Stamp Act, for which the Lower House had refused to pay (p. 102). It was probably the last. No copy of these *Proclamations* printed by Green is known to be in existence. It would be interesting to know whether this "representation" was presented in printed form, as had been a petition by him to the 1762 Assembly asking increased pay (*Arch. Md.* LVIII, 578-579). Green died April 11, 1767. His career as "public printer" since 1738 had been a notable one. He was succeeded by his widow, Anne Catharine Green, who conducted the business alone until 1768, when her son, William Green, became associated with her.

The 1768 Assembly passed the usual act for the publication of the Session Laws, and the *Votes and Proceedings*, and, as it was now styled, for the "encouragement of Anne Catharine Green". It was drawn up along the same lines as had been those passed at previous sessions for the encouragement of her husband. The act concludes, however, with the statement, that following the

death of her husband, Mrs. Green had continued to do the Assembly printing without interruption, although no public levies had been made for her payment since her husband's death (pp. 455-458). At the close of the 1768 session, just before Governor Sharpe abruptly dissolved the Assembly because the Lower House had, contrary to the orders of the Crown, taken notice of the letter of the House of Representatives of Massachusetts protesting against the imposition of import duties on tea, glass, and other articles brought in the colonies, and had itself petitioned the King and passed resolutions protesting against these duties, the Lower House ordered that there be printed in the *Maryland Gazette* the Governor's message in regard to the Massachusetts letter and the reply of the Lower House to it (p. 418). The house also ordered that its resolves relating to bribery and treating at elections be "standing rules" of the house, and be printed in the *Maryland Gazette* (p. 418). It further ordered that the bill for licensing ordinary keepers, hawkers, peddlers, and petty chapmen, be also immediately printed (p. 418). As this bill became a law and was printed in the Session Laws for 1768 (pp. 473-484), we are left in the dark as to whether it also first appeared as a separate pamphlet. Certainly no copy is known of such a pamphlet. Perhaps the Lower House felt that the Governor might veto the bill, and sought in that event to assure the publicity which would result from its printing.

BALTIMORE TOWN MADE THE COUNTY SEAT

A battle royal raged in Baltimore County at the 1768 Assembly over the removal of the County Seat of Baltimore County from the dying town of Joppa on the Gunpowder to the rapidly growing Baltimore Town on the Patapsco. Not only was the harbor of Joppa rapidly filling up with silt, but the increase of the population and sea borne commerce of Baltimore and its neighborhood, as well as the agricultural development to the west of the town beyond tidewater, made such a change desirable.

The matter came up early in the session with the presentation of a petition in the Upper House, May 30, 1768, from sundry inhabitants of Baltimore County, praying the removal of the court house and prison to Baltimore Town (p. 286), followed by a similar petition on June 8th, against removal (p. 294). Fortunately, both these petitions, to be commented upon later, with their very numerous signatures, have been preserved. It seems likely that the petition against removal was fathered by John Paca, whose son, William Paca, a member of the Lower House, later became a signer of the Declaration of Independence and governor, and whose plantation was near Joppa (p. 296). The petition for removal seems to have been fathered by John Moale, a new member of the Lower House from Baltimore County (p. 352). Both petitions were referred by the Upper House to the lower chamber. On June 6th, immediately following the receipt of the petition for removal, a motion that it be granted was approved by the Lower House by a vote of 42 to 5, those voting against it being Buchanan and Bordley of Kent, Beale of Prince George's, William Paca of Anne Arundel, and Thomas Cockey Deye of upper Baltimore County. A committee was appointed, headed by Thomas Jenings, with Chase, Johnson, Ridgely, Moale and

Adair, the last three being Baltimore County delegates, and ordered to bring in a bill (pp. 354-355). This bill, brought in by John Moale two days later on June 8th, was entitled, "An Act for erecting a Court house and public prison in Baltimore County in the town of Baltimore and for making a sale of the old Court House and Prison" (p. 361). This was followed by its passage on June 10th by vote of 40 to 4, Buchanan, Bordley, Deye, and Beale still voting in the negative, and Paca not voting (pp. 368, 389). On the same day, June 8th, that the bill for removal was brought into the Lower House, the Upper House, at the request of Benjamin Rogers of Baltimore on behalf of those favoring Baltimore Town, requested the house to issue a summons through Daniel Chamier, the Sheriff of Baltimore County, to Colonel William Young, Corbin Lee, William Aisquith, and William Cox, to appear before the Upper House and to testify the truth of what they know of certain facts set forth in a petition against the removal of the Court House to Baltimore; and the request was granted and a hearing ordered for June 16th (p. 298). This hearing extended over a two-day period in which "the House proceeded in taking the Testimony of Evidences upon the Petition for and against Removal of the Court House—and heard Council for and against", and on June 17th passed the bill which the Lower House had already approved (pp. 306-308). An incident of some interest as bearing on legal ethics occurred in the Lower House after the bill had passed that body, and while hearings on it were still being held in the Upper House. Thomas Jenings (1736-1796) of Annapolis, a young lawyer of outstanding ability who later in the same year became Attorney General of the Province, and who represented Frederick County in the Lower House, was chairman of the committee having the bill in charge. Although he had voted for removal, he now asked leave to attend the hearing in the Upper House as counsel for those opposing removal. This proposal seemed too much for the house to stomach, for it refused by a vote of 40 to 2 to allow him to do so, only Chase and Gresham, both of whom had voted for removal, being in favor of this professional switch (pp. 387-388). The passage of this act gave additional impetus to the development of Baltimore as a great port and as one of the leading cities of the Atlantic seaboard.

The petitions to the Assembly for and against the removal of the county seat, Joppa, to Baltimore Town are printed in the Appendix (pp. 520-580). The former set forth many reasons urged for removal that are not to be found in the preamble of the act providing for it. An exact count of the signers, for and against, is not possible as some of the petitions are defective and it seems likely that others are missing. A contemporary tabulation shows 2271 signers in favor of removal (pp. 523, 564); and a count shows 901 against. We learn from one of the petitions against removal that there were then 8256 taxables in Baltimore County. As "taxables" embraced all males over sixteen years of age, including negro slaves and white indentured servants as well as female slaves over sixteen, it seems certain that the 3172 inhabitants who signed petitions included practically all of the males of the county twenty-one years and over, whose signatures would influence the Assembly in making the decision.

The petitions favoring removal were circulated as *printed* broadside sheets;

these cited the reasons why removal was sought. Of these forty-one broadsides, thirty-four were printed in English alone, and seven were printed with the petition in English and in German, the latter in German type. It is of interest that all these printed petitions appear to have come from the press of Nicholas Hasselbach, a Pennsylvania German, who had in 1765 moved to Baltimore and established the first printing press in that town. These printed petitions appear in three forms. Those in English alone are in two forms which show only trivial differences; these are nos. 1-28, 35-37, [39]-[41] (pp. 520, 563). In the petitions in both languages the English precedes the German version; these are nos. 29-34, [38] (pp. 552-556). The interested reader will find these early examples of Baltimore printing fully discussed in Lawrence C. Wroth's *A History of Colonial Printing in Maryland*, 1922 (pp. 113-114, 232-233). The petitions for removal as presented to the Assembly are preceded by an "Advertisement" in manuscript which recites that they have complied with resolves of the Lower House which require petitions for local legislation to be advertised at least two months before an Assembly meeting; and in further compliance with these resolves that the notices, that such application would be made, had been set up at the door of the court house at Joppa and at the seven churches and chapels of the Established Church in Baltimore County named in the "Advertisement".

The petition for removal then goes on to assert that in addition to the court house at Joppa being too small, it being the smallest court house in the Province, it is flimsy and exposed to the depredations of evil-doers; and that the jail is not only insecure, thus encouraging frequent escapes, but has no through draft, resulting in the prisoners suffering loss of health; that the town is on a low promontory connected with the mainland by an isthmus, which when flooded by high tides and heavy rains is nearly impassable, making the town an island; that the town can now be reached only by very small vessels. It is further recited that there are few houses in Joppa, and that those who attend courts must ride by night to houses in the neighborhood for lodgings, thus endangering their lives by colds, pleurisies and other disorders. Baltimore is then extolled. The town is declared to be situated on a fine river, navigable by large ships, and has a rapidly increasing population and trade; there are sufficient inns to accommodate large numbers with ease and plenty; the court house and jail would be by their surroundings better protected; and people from all parts of the county would find here a good market to sell their goods. While Baltimore is not as central as Joppa, the experience of neighboring colonies shows that this is not a serious objection. For all these and other good reasons the petitioners asked that the court house and jail be moved to Baltimore Town. A very considerable number of those signing bore German names, and were either residents of Baltimore Town or of the western part of the county with a large German population. Many of these names in German script are well nigh illegible, and several show a transitional form between the correct German spelling of Christian and family names and the euphonic English spelling into which they were becoming transformed.

The petitions against removal were circulated in manuscript and not in printed

form. They are nine in number. It is denied that the court house is too small and is insecure, and it is intimated that any damages that it may have suffered in the past have been instigated by designing persons interested in removal; that Joppa is centrally located and Baltimore Town is at the end of the county; that the road complained of over the isthmus is short and can be readily repaired; that the jail is strong, and that a yard and wall can be easily added; that there are sufficient accommodations in the town for the justices, and that those who resort to neighboring houses do so to avoid expense at the inns. There should be due consideration for the interests of the descendants of the ancient settlers in this section. The center of justice should be as near as possible to all, and suitors, witnesses, and jurymen from the Bush River and Gunpowder River neighborhoods should not be required to travel 50 miles to court; that it would be better to abandon a suit for a debt of £10 than to incur the expense of traveling to Baltimore. It is asserted that the agitation for removal comes largely from Baltimore innkeepers and from those interested in its foreign trade. The petition closes with the statement that the volume of business in a county now containing 8256 taxables cannot be carried on with dispatch at one court house, and that as in a few years a division of the county will be unavoidable, the removal of the court house should not take place before a division has been made. It may be added that in 1773 Harford County was cut off from Baltimore County.

The act under which Baltimore replaced Joppa as the county seat, from its title obviously does not give the principal reason for the change, which was the shift of population. The preamble states that the removal was advisable because the Court House at Joppa was considerably too small for transacting the public business and was out of repair, and that the building was "slight and insecure for keeping the Publick Records"; the county jail ill constructed and a continual expense and so defective that escapes were frequent; the small number of houses in the town insufficient to accommodate those attending court, thus causing early adjournments and late meetings of the court. The act created a commission of seven Baltimore County men, headed by John Beale Bordley, a member of the Upper House and Clerk of the Baltimore County Court, and associated with him the three delegates from that County who had voted for removal, John Ridgely, John Moale and Robert Adair, together with Robert Alexander, William Smith and Andrew Buchanan, prominent residents of Baltimore Town who were not members of the Assembly. These commissioners were to lay off so much as was required of the street called Calvert at its upper part next to Jones Falls, and to acquire from the owners by purchase or condemnation at a reasonable price not more than one and a half acres, and to erect thereon a court house and public prison with a good yard. Subscriptions had already been promised towards the purchase of the land and erecting the buildings, and the Commission was empowered to collect the subscriptions promised. The balance required was to be raised by a public levy not exceeding 300,000 pounds of tobacco (£2500). Until the court house was completed, court was to be held in the market house. The Clerk of the Court was to remove the records to the Baltimore Market House, or to some other place

selected by the justices, before August 3, 1768, and the Sheriff, at any time, was to remove the prisoners from Joppa to "any gaol he may think fit in Baltimore Town" until the new prison was finished. The commissioners were to sell the Court House, jail, and land at Joppa to the highest bidder (pp. 442, 445). Joppa was soon to become only a memory. The removal of the records from Joppa "was attended with some violence and outrage" (Griffith's *Annals of Baltimore*, 1833, p. 45).

BALTIMORE TOWN NUISANCE

At the November–December, 1766, session, an act was passed providing for an addition to Baltimore Town to be created by the filling in of the salt marsh to the east of the town, lying south of Gay Street and extending to the Harbor between Frederick Street and Jones Falls. This matter had come before the May, 1766, session, in the form of a petition from the inhabitants of Baltimore Town, but consideration had been deferred until the next Assembly (pp. 6, 28, 55, 62). The act, as passed, bears the entirely inadequate title "An Act to Remove a Nuisance in Baltimore Town in Baltimore County and for other purposes therein mentioned", the addition to the town being merely covered by the phrase, "the other purposes therein mentioned" of the act. The "Nuisance" to be removed is here rather vividly described as "a Large Miery Marsh Adjoining the said Town [which] is by the Noxious Vapours and putrid Effluvia arising therefrom very prejudicial to the health of its Inhabitants, and that the proprietors of the said Marsh have by their perverseness or Dilatoriness hitherto refused or neglected to remove the said Nuisance." This marsh land, known at this date as Harrison's Marsh, was, at the time of the passage of the act, owned by three prominent residents, Thomas Harrison, Alexander Lawson, and Bryan Philpot, although Harrison was the principal owner. Harrison's name has been perpetuated in the rather unsavory street still bearing his name, bisecting the tract from north to south, while the southern end, that below Baltimore Street, by its present name, Marsh Market Space, reveals its origin. At frequent intervals, when the tide was high, or Jones Falls in flood, the marsh was inundated, nor, it may be added, was it until nearly a century and a half later, when the Fallsway was constructed over Jones Falls, that occasional flooding of cellars in this neighborhood ceased.

Nine commissioners named in the act were appointed under it to see that the nuisance was abated. The owners or proprietors of the Marsh were offered the choice of two alternative methods by which this might be done, and between which they must decide within thirty days of its passage. They might either themselves fill in the swamp, or have this done under powers given to the commissioners to do so. In either event, however, the commissioners were to lay out streets, lanes, and alleys, and to see that the reclaimed land was divided into lots of not more than one-eighth acre each. On the harbor and Jones Falls sides, the latter at this point being a tidewater estuary, the banks were to be "wharfed in" with a stone wall at least two feet wide (or to the same width by closely placed hewn logs), extending at least two feet above common flood tide, the marshy ground thus enclosed to be filled in with stones, gravel, sand, or dirt, to the height of at least two feet above flood tide. When these various conditions

had been carried out this reclaimed land was to be a part of Baltimore Town. If the owners elected to do this reclamation work themselves, they were to give bond to complete it within two years. If, however, it was turned over to the Commissioners to be done through them, these, after laying out rights of way, and advertisement in the Maryland and Pennsylvania Gazettes, were to offer the lots for sale at auction to the highest bidders, who were to obligate themselves to make the required fills, and in the case of lots abutting on the water, to build the retaining walls. The money received from the purchasers after adjustments for expenses, was to be turned over to the proprietors. In case of suits involving title, a valuation of £20 an acre was to be the basis for adjustment (pp. 253-258).

It developed that nearly two years later, the then owner, Thomas Harrison, had not yet completed the reclamation of the marsh, which he had been bonded to do, and it would therefor appear that Harrison has acquired in the two year interval the interests of Lawson and Philpot (the latter having recently died), for at the November–December, 1768, session, a second act was passed, "To give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town." This act recited that although Harrison "did elect to remove his Part of the said Nuisance at his own proper Charge and Expense", the removal "is so difficult a labour that he cannot effect the same within the Time limited", and that his petition praying for a further two-year extension was therefore granted (p. 461). But two years later he had not yet carried out his agreement, for the September–November, 1770, Assembly still further extended the time two more years (Hanson's *Laws of Maryland*, 1787; Acts of 1770, chap. vii). In due time Harrison's Marsh became an integral part of Baltimore Town.

BALTIMORE COUNTY CONTESTED ELECTION

Although the Committee on Elections and Privileges had reported on May 30, 1768, that there were certain minor technical defects in the election indentures of the Baltimore County delegates returned at the election held in November–December, 1767, the four delegates were seated (p. 342). These were John Ridgely, Thomas Cockey Deye, John Moale, and Robert Adair. On the following day, however, a petition was presented by John Hammond Dorsey of Baltimore County, an unsuccessful candidate for reelection, who had been elected a delegate from Baltimore County at a special election held in January, 1767, to fill the place of James Heath, who had died (*Maryland Gazette*, Jan. 22, 1767). Dorsey had never taken his seat, however, as the Assembly to which he had been elected in January held no meeting before it was dissolved. In his petition of May 31, 1768, Dorsey complained of "an undue election of M^r Ridgely, M^r Moale and M^r Adair, three of the sitting members; and also against the sheriff of that County for mal-conduct in the election", and a few days later a similar complaint was made against the election of Thomas Cockey Deye by Charles Ridgely, Jr. (apparently another unsuccessful candidate), Benjamin Rogers, Jonathan Plowman, William Aisquith, and Christopher Carnan (pp. 347, 371, 372). After considering the Dorsey petition the house ordered the sergeant-at-arms to summon the sheriff

of Baltimore County, Daniel Chamier, to attend a hearing on the petition (p. 348). After this hearing, held before the bar of the house, when witnesses were heard, the house voted to postpone action for three days so that the complaint against the election of Deye could also be heard at the same time (pp. 370, 371, 372). On June 14th, after hearing various witnesses, the house voted that none of the four sitting members had been duly elected, and all were "excused" from further attendance by a vote of 21 to 18, the house refusing to allow any "recourse" to the complainant Dorsey because he had been as guilty as the four unseated delegates in treating voters at the election, this treating being the reason for unseating the four delegates (pp. 378, 379). The *Maryland Gazette*, in its issue for June 16th, announced that the election had been declared void, and added that the Lower House had honorably acquitted allegations against the High Sheriff (Chamier) made by Dorsey. Reference to the acquittal of the High Sheriff is also to be found in the journal of the house (p. 372). The Lower House then ordered the Speaker to issue his warrant to the Secretary of the Province for writs of election directed to the Sheriff of Baltimore County for the election of four delegates in the room of the unseated members (p. 380). It is to be noted that at the 1769 Assembly, Chamier, the Sheriff, was censured and fined by the Lower House for conducting this special election held July 5, 1768, in an irregular manner, and the four Baltimore County delegates again unseated. The house fixed the fees to be charged against the complainants. John Hammond Dorsey was assessed £61:4:0 for summons issued by the clerk and served by the sergeant-at-arms, as well as the costs of the forty-one witnesses brought to Annapolis; and Charles Ridgely, the other complainant, was ordered to pay £4:2:0 as costs (p. 385). That the Baltimore County electors did not look upon treating at an election as seriously as did the Lower House, is shown by the fact that at the special election held on July 5, 1768, John Ridgely, John Moale, and Robert Adair, just unseated, were reelected (*Maryland Gazette*, July 14, 1768). That Thomas Cockey Deye was not re-elected, and George Risteau selected in his place, was doubtless due to other causes than alcoholic bribery of electors. Perhaps the struggle over the removal of the county seat from Joppa to Baltimore Town which Deye opposed played a part in his defeat. Robert Adair died, October 22, of the same year. The *Maryland Gazette* for July 14, 1768, after duly recording the election of Messrs. Ridgely, Moale, Risteau, and Adair, adds, "We are informed the above Gent. carefully avoided Treating both before and after the Election to prevent the least colour for a second complaint on that account."

On June 15th, 1768, the Speaker informed the house that he had received a petition "rumored to be from certain freeholders of Anne Arundel County", complaining against the late election in that county, but when the order of the house, dated June 7th was read, to the effect that no new business be received after June 11th, the house refused to receive the petition (p. 382). Whether treating at election also played a part in the Anne Arundel election complaint is not disclosed by the journal.

On the day that the 1768 Assembly adjourned the house adopted a series of resolves, which were to be standing rules of the house. One defined the

time during sessions within which such petitions must be presented; this was to be not later than five days from the opening of a new session. It also resolved against treating at elections, as well as against other forms of election bribery. It was also unanimously resolved that when any candidate, either before an election, or at the time of an election, either himself or on his behalf, or at his charge or with his privity or consent, allowed money, meat, drink, entertainment, or provisions to be given to any elector, that his election would be declared void. It was also resolved, but by a close vote of 15 to 14, that any person not a candidate, who should be guilty of giving to any elector what is forbidden to a candidate to give, shall be deemed guilty of bribery as well as of a breach of the privileges of this house, and be punished accordingly (pp. 417-418).

THE QUARANTINE LAW

An act establishing a quarantine, the first legislation of this kind in the Province, against overcrowded vessels bringing indentured servants and convicts in Maryland, was passed at the November-December, 1766, session. This measure, which was entitled "An Act to Oblige Infected Ships and other Vessels coming into the Province to perform Quarantine", was strenuously opposed by the English contractors who held contracts with the British Government to transport criminals from Great Britain to Maryland, and by their Maryland representative or factor, Thomas Ringgold, the Kent County merchant and prominent popular leader in the Lower House. A similar Quarantine act was in existence in Virginia. The act provided that the master of any vessel bringing in more than thirty servants or passengers be required to make oath before the Collector or Naval Officer where the vessel shall first enter "that neither the Small Pox, Gaol Fever, Yellow Fever, Flux, or any other such Dangerous Infectious Discharges, is or hath been on such Ship or Vessel on her Passage"; and that if a vessel for this reason was held up for forty-eight hours, a full information must be sent to the Governor who would determine at what place and for how long quarantine should be maintained before any person on board might come ashore; and the master was required to disclose the number of servants and passengers on board. Heavy penalties were imposed upon masters making false returns and upon persons bringing and landing servants before a certificate of entry had been obtained (pp. 262-264).

The bill, before passage, had been the subject of considerable controversy in the Lower House. After introduction it was recommitted for amendments, the nature of which the journal does not disclose, and was finally passed by vote of 27 to 5; those opposed included Thomas Ringgold and three other Eastern Shore members (pp. 157, 184, 187, 207). When it reached the Upper House it was amended, raising the number of servants on board a vessel which made it subject to quarantine from twenty to thirty (pp. 127, 157, 184, 197, 207, 209, 213, 214). After the passage of the law strenuous, although unsuccessful efforts, were made by the English contractors to have it dissented to by the Proprietary, or failing this, annulled by the Crown. Passed with a three year time limit it was, however, continued in 1769; and several times thereafter.

It appears from the rather voluminous correspondence that passed between Governor Sharpe and the Proprietary's Secretary, Hugh Hamersley, on the subject, that John Stewart, "Contractor for the Transportation of Convicts", operating under the firm name of Stewart & Campbell, of London, and also the firm of Sedgely & Company of Bristol, made strenuous efforts to have the Proprietary dissent to the quarantine law, and failing this, to have the King in Council annul it. It is known that most of these felons sent to Maryland were from Newgate Prison, London, and from Bucks and other counties on that circuit (*Acts of the Privy Council, Colonial Series, 1766-1783*; pp. 115-116). Sharpe, under date of July 27, 1767, wrote to Hamersley, that distempers had at various times been brought into the Province in overcrowded ships, and that only the preceding autumn Mrs. Blake of the prominent Queen Anne's County family of that name, and twenty of the Blake slaves, had died in the space of two months of a distemper, apparently jail fever, communicated to them by servants imported in a "crowded, infectious ship." Sharpe took a shot at his political enemy, Thomas Ringgold, who represented Stewart & Campbell, saying that Ringgold had sought in the house to have the title of the act changed in derision to "A Bill to prevent the Peopling of a Young Country." Sharpe declared that as a matter of fact few shipmasters overcrowded their vessels, but that the Stewart and Sedgely firms had not enough vessels to carry comfortably more than half the convicts, which under their contracts they were at times obliged to take when the jails were emptied, and that they were indifferent to the consequences. The Governor said that, although the act was in some degree defective and severe, it could be easily amended, and that at the next session he would recommend the establishment of a lazaretto. He added that as a matter of fact since the passage of the law both contractors had already somewhat improved conditions by installing ventilators and ranges of ports, although in a recently arrived ship there were crowded in it more than one hundred and fifty persons besides the crew (pp. 412-413, 419, 421; *Arch. Md. XIV*, 413). The contractors, however, soon began to give up the fight against the measure when it was evident it would be supported by the King in Council, the Lords of Trade to whom it had been referred, and the London merchants (*ibid.* 432, 435, 436). Ringgold, however, continued his attack upon the Quarantine Law in the columns of the *Maryland Gazette*, but in this newspaper war got the worst of the controversy (*Arch. Md. XIV*, 421). There are many other references in the Sharpe Correspondence to the Quarantine Law (*ibid.* 411, 412, 419, 421, 470, 475, 524, 535).

At the 1768 Assembly the Quarantine Law was again brought forward. On June 16 Sharpe sent a message to the Lower House, saying that the contractors for the transportation of felons from England to America had made grievous complaint against the Quarantine Law as oppressive, unreasonable, and cruel, and that he thought it might in some respects be amended. He recommended that the house give this consideration. It is known that Sharpe was anxious to have a lazaretto established. In order that the contractors' views as represented to his Majesty's ministers might be known, he trans-

mitted letters and a memorial relative thereto that he received some time ago from England (p. 384). The house appointed a committee headed by Thomas Johnson, with William Murdock, Matthew Tilghman, and Thomas Ringgold as associates, to prepare an address to the Governor in reply (p. 389). In this address, which the house approved, it was said that "we are not surprised at the grievous complaints of contractors for the transportation of felons against the quarantine law, at their denial of notorious facts, or suppression of a considerable circumstance, the profitable price at which they generally sell the convicts, nor that they should, when actuated solely by sordid views, esteem the health of the inhabitants light in the scale, against a grain of their profit: But we are surprised at imaginary importance of these people, as well as at the ingratitude of their attempt to interest the government at home, against a country, from which they have extracted so much wealth, and at the expense of so many lives." The house felt that the law needed amendments, a strengthening not a softening, declaring that they were "apprehensive that the security of oaths, alone, is not sufficient—that cruelty, so long, and so fatally exercised, of distributing with impunity, the jail-fever and other infectious disorders. In compassion also to the infected, a place for their reception is desirable", the cost of which should be met by a contribution from the contractors from the profits of their trade (p. 411). The reference to the insufficiency of "the security of oaths" was a reference to the law which allowed the passengers to land when the shipmaster made oath that there was no sickness aboard. It will also be seen that Thomas Ringgold, a member of the committee that drew up the address, was one of the Maryland agents of the contractors and a rabid opponent of the law. That he voted for its adoption seems most unlikely. The law continued in effect until several years after the Revolution.

THE POOR, VAGRANTS, ALMSHOUSES, AND WORKHOUSES

The care of the dependent poor and infirm in Maryland prior to the passage of the 1768 law was by placement in private homes. In 1765, a proposal was made to the Assembly by residents of Baltimore, Anne Arundel, Worcester, and Prince George's counties, seconded by the Upper House, that hospitals, workhouses, and houses of correction be erected in each county for the care of the poor and for the commitment of such offenders as vagrants, beggars and vagabonds. This has been discussed in a previous volume of the *Archives* (LIX, xxx-xxxi, 181). The reasons asserted in favor of this proposal were that the costs to the counties for the care of the poor, then very large, would be lessened and that minor offenders would be kept under control. Nothing about the matter, however, was done at the 1765 session. At the November-December, 1766, Assembly, on the petition of Samuel Chase, the Lower House, on January 21st, appointed a committee of fourteen headed by Daniel Wolstenholme to bring in a bill for "the better support of the poor and for erecting workhouses in the several counties in the Province" (p. 181). The large expense to a county for providing care for the indigent in private homes is revealed by the Worcester County tax levy for 1766, which is printed in the Appendix (pp. 505-513). This shows that about forty percent of that county's expenditures went for this purpose.

Nothing further was heard of the matter at this session, but at the 1768 Assembly a bill "for the relief of the poor within the several counties named" was ordered to be prepared, and was brought into the Lower House by a committee which Chase headed, and was promptly passed by both houses (pp. 343, 382, 410, 486, 495). The preamble recites that the number and continual increase of the poor and vagrants in the Province is exceedingly burdensome and might be greatly lessened by due regulation and employment of them. The act provides for the appointment in each of the counties mentioned, viz. Anne Arundel, Prince George's, Worcester, Frederick and Charles, of five "trustees for the poor", who are named in the act, with authority to make laws for regulating the poor and for punishing such offenders as vagrants, beggars, and vagabonds, to purchase lands and erect thereon in each of the counties a building, part of which was to be used as an almshouse for the poor and part as a workhouse for minor offenders. An overseer, appointed by the trustees, was to be placed in charge of each county. Power to commit offenders for not over three months was vested in any justice or magistrate of the county; those able to work were to be required to do so; the sale of liquors was prohibited. An interesting provision of the law was that all inmates of the almshouses or workhouses received for relief were required to wear on the right sleeve a badge "with a large Roman P, together with the first Letter of the Name of the County—cut either in Red or Blue Cloth." Punishment of unruly inmates by whipping or by hard labor was authorized. Funds for carrying out the provisions of this law were to be raised by a levy of 15 pounds of tobacco annually for three years upon all the taxable inhabitants of these five counties (pp. 486, 495). It may be noted that at the November–December, 1763, Assembly Edward Tilghman had introduced a bill, which did not even pass the Lower House, requiring county pensioners to wear badges (*Arch. Md.* LVIII, xxxv, 320).

It should be noted that the law passed at the November, 1765, session, "An Act for the benefit of the poor and encouragement of industry", had a misleading title, as it was merely a measure to encourage the home manufacture of linen by the payment of county bounties, and was only indirectly beneficial to the poor. It is only mentioned here because of its misleading title. It is fully discussed in the Introduction to another volume of the *Archives* (LIX, xxxii), and is referred to again in the present volume under "Bounties on Linen" (pp. xxxi–xxxii) and in the Appendix in the Worcester County tax levy (p. 512).

THE CHARLES CARROLL-MARY DARNALL MARRIAGE SETTLEMENT

One of the acts passed at the 1768 session related to the marriage settlement between Mary Darnall and Charles Carroll of Carrollton, which became effective the day before their marriage. The petition upon which the act was based was presented to the Assembly May 31, 1768, and the act rushed through to passage on June 4th. Their marriage took place on the 5th. It is interesting to note that the law thus hurriedly enacted, entitled "An Act to enable Mary Darnall, an Infant, to enter into and accept of a Marriage Settlement and

Agreement" does not reveal the name of the "person", as the act calls him, who was her intended husband.

The matter came before the Assembly in the form of a petition by Mary, her father and mother, and her uncle, praying for the passage of an act legalizing the proposed settlement (pp. 291, 292). The preamble of the act recites that Henry Darnall, Jr., and his wife, Rachel, Mary's parents, and her uncle, Robert Darnall, have represented that Mary, "an Infant of the Age of 19 years—[had had] an advantageous offer of Marriage—and the sum of 300 pounds Sterling a year is proposed to be settled on the said Mary during her natural Life in lieu and in Bar of Dower and of the Right she might have to any Part of the Personal Estate of her intended Husband which Settlement the Petitioners approve of and are willing and desirous that the same should be executed." The preamble goes on to say that the intended Marriage is delayed because the petitioners are doubtful whether the acceptance of the settlement for securing the jointure by her, an infant, without legislative authority can bar her from the right of dower and that part of her husband's personal estate she might be entitled to. The act recites that Mary may, with the consent of her father, mother, and uncle, accept a marriage settlement by which she will receive £300 sterling annually, secured by sufficient land during her life after the "Death of the Person with whom she may intermarry", this barring her from any claim of dower or share of the personal estate (pp. 422-423).

When the bill came up in the Lower House it was passed and sent to the Upper House, which also approved it, Daniel Dulany dissenting. He said that while he thought the settlement proposed was unusual and liberal, he was against the bill on legal grounds because it is a "Standing Rule of this House not to pass Acts in Consequence of private Petitions, where the remedy or purpose sought is sufficiently provided for by the general existing Laws." He cited several English statutes which he considered validated a jointure of this kind barring a wife from dower when made by a lady between nineteen and twenty years of age. He feared that a settlement such as this, hitherto deemed valid, hereafter "may unless great Care be taken, be affected by a particular Interposition of the Legislature, either on the Ground of its being necessary, or Proper" (pp. 291-292, 293).

One cannot help speculating why Charles Carroll of Carrollton, the wealthiest man in Maryland, should wish to bar his widow from her dower and one-third interest in his personal estate, and why the Assembly acted contrary to the opinion of that outstanding lawyer, Daniel Dulany, which was against the advisability of legislative approval of the marriage settlement. Did the members feel that the realist, Charles Carroll, might refuse to marry the young lady did he not have his way? Certainly everyone must have known whom Mary Darnall was to marry, although the prospective groom's name nowhere appears in the act, or in the journal of either house. That Carroll outlived his wife many years and never remarried, is not without interest in this connection.

FISH CONSERVATION

The first Maryland laws for the conservation of fish were enacted in 1768. Fish preservation had come up for consideration at the November–December,

1766, session, as it had at the preceding 1765 Assembly. Two bills affecting fish conservation had been introduced at the 1765 session. One of these, under the title "An Act to prevent the Navigation of the Potomac River, Monockasy, and great Conococheague Creeks being obstructed", which had its origin in the Lower House and sought to prevent the erection of dams and fish weirs, was obviously a fish conservation measure; it was rejected in the Upper House because it was deemed a threat to private interests in the case of a certain dam already in operation. The other bill, with a more revealing title was, "An Act for the preservation of the breed of fish", also came before the 1765 session, but action upon it was referred to the next Assembly. These two bills and an Upper House bill before the 1765 Assembly to repeal the existing law in regard to the building of water mills, which was rejected for undisclosed reasons in the Lower House and was also a fish conservation measure, have been fully discussed in a previous volume of the Archives as the first serious attempts to protect fish made in Maryland (*Arch. Md.* LIX, xxxiii-xxxiv).

The bill "for the preservation of the breed of fish", doubtless identical with the 1765 bill, came up again at the November-December, 1766, session. It passed the Lower House and was sent to the upper chamber where numerous amendments were added. The significance of several of these, in the absence of a copy of the bill, is not obvious. One amendment, however, providing that the fines collected, which under the Lower House bill were to be used to "defray the public charge" of the several counties concerned, and which was changed by the Upper House" to be used as the General Assembly shall direct", was doubtless the principal cause of the unanimous rejection of the amended bill by the lower chamber as the Lower House on general principles objected to the upper chamber altering the money feature of any bill (pp. 144, 153, 196, 121, 124, 199). A similar impasse between the two houses as regards the disposition of fines had caused the rejection in the Lower House at this session of the bills licensing ordinaries or inns, and hawkers and peddlers, the house denying the right of the upper chamber to amend a money bill (p. ciii). Thus the bill for the preservation of the breed of fish died at this session, to be passed, however, in 1768, along the general lines of the 1766 Lower House bill.

At the November-December, 1766, session, an act passed without a hint in the title as to its principal purpose, may be considered the first fish conservation law to have been passed in Maryland. This was an act repealing the greater part of a former law passed in 1704 "for the encouragement of the erection of water mills", under which the builder of such mills enjoyed sundry privileges, one of which was to erect dams without making provision for fish ways. Under the repealed sections the right to build dams on rivers was abolished. This law is discussed elsewhere in this Introduction (p. xxxv). As will be seen from what follows, it was unquestionably primarily a fish conservation measure.

It was at the 1768 session that the two important laws for fish conservation which had been before previous Assemblies were passed, apparently without opposition. These were: (1) "an act for the preservation of the breed of Fish in the Susquehannah and Patuxent rivers", and (2) "an act to prevent any obstruction of the navigation of the River Potomack." The preamble to the first of these acts for the preservation of fish in the Susquehanna and Pa-

tuxent recites that experience shows that large quantities of young fish unfit for use have for many years been destroyed by weirs, dams, pots, and other devices erected in the Susquehanna and Patuxent rivers, whereby the great quantities of fish formerly found in these rivers and other rivers in the Province have been much diminished to the great damage of the public. The act prohibits the erection of any of the devices above mentioned by which fish are obstructed from going up, or coming down, these two rivers, or the destruction of fish by any device; violators to be subject for each offense to a fine of £20 current money. Seining between February 20 and May 20 in the Patuxent between Mount Calvert and the head of the Patuxent, except on Tuesday, Wednesday, Thursday, and Friday, of each week, was also forbidden. Weirs were however, permitted in the tidal portion of the Susquehanna and in the Patuxent below Mount Calvert (pp. 425-426). The second act, that to prevent the obstruction of the Potomac River, recites that water carriage is greatly obstructed by fish dams between the Great Falls of the Potomac (at Georgetown) and the Monocacy River. The erection of fish dams, and other devices for catching fish, is prohibited between the Great Falls [Georgetown] and Wills Creek [Cumberland] on the Potomac, and on the Monocacy between the junction of two Pipe Creeks; violators to be subject to a fine of £15 current money (pp. 427-428). These laws were subsequently reenacted several times.

THE LOAN OFFICE AND THE OLD ISSUE OF BILLS OF CREDIT

It will be recalled that at the November-December, 1765, session, the Assembly had abolished the Office for Emitting Bills of Credit, or Paper Currency office, or, as it was more familiarly known, the Loan Office. This Office had been established under the act of 1733, to issue £90,000 Bills of Credit or paper money to run until 1764, to be used for certain designated expenses of government, and to be secured by various specified taxes and duties, the money from those taxes to be invested in Bank of England stock, held as a sinking fund in the hands of Trustees in London. Other smaller issues of Bills of Credit, principally for military purposes, had been issued in 1748, 1754, and 1756, secured by additional taxes, these bills also to run until 1764 and to be likewise secured by a sinking fund invested in Bank of England stock. When the Loan Office was closed and went out of legal existence in April, 1766, it was found that after all the Bills of Credit had been taken up and cancelled, there still remained in the hands of the London Trustees to the credit of the Province, a surplus of more than £25,000 par value Bank of England stock and having a considerably higher market value, in addition to smaller sums secured by mortgages on land still due to the Commissioners of the Loan Office. These funds were, of course, available for use for such purposes as the Assembly should direct. The local Loan Office and its affairs are discussed in considerable detail in a preceding volume of the Archives (LIX, lx-lxii).

At the November-December, 1766, session, a joint committee of the two houses, with Benedict Calvert as chairman, was appointed to "inspect" the affairs of the recently abolished Office for Emitting Bills of Credit, or Loan Office as it was called, as well as the account rendered by the London Trustees.

These Trustees, as of May 30, 1766, reported that there were in their hands £26,800 capital stock of the Bank of England, purchased by them [at a premium] at a cost of £33,357:12:6 sterling, and an uninvested balance of £135:2:10 sterling; that all Bills of Exchange drawn upon the Trustees in London by the Loan Office in Annapolis had been paid and charged in the Trustees account, except £1199:17:7; and that the Commissioners of the Loan Office had remitted to the Trustees Bills of Exchange to the amount of £10,929:19:10½. Various details of receipts and expenditures by the London Trustees will also be found in this report.

The Commissioners of the Loan Office in Annapolis, recently legislated out of existence, were William Murdock, James Dick and Daniel Wolstenholme. The examination of their accounts by the joint Assembly committee down to April 30, 1766, showed by the accounts of Iron Chest No. 1, that since the last examination there had been receipts of £15,867:14:3 and expenditures of £15,863:7:9, leaving a balance of £4:6:6. The office further showed that six persons were still indebted on overdue mortgages on real estate to the amount of £202:14:14. The committee further reported that it had burned various overdue Bills of Credit, amounting to £144:6:6, which had, since April 30, 1766, been presented for payment; and it also burned all the counterfeit bills of credit on hand of an unstated amount. The committee also reported that there still remained unpaid various amounts due from sundry sheriffs and other officers, as shown in former reports (pp. 115-118). Later reports at this November-December, 1766, session, showed that the holdings of Bank stock had then reached £30,000, doubtless as the result of additional collections (p. 215).

NEW ISSUE OF BILLS OF CREDIT

How the compromise agreement between the two houses at the November-December, 1766, session, which had referred the disputed question about the payment of the salary of the Clerk of the Upper House to the Crown for arbitration, had paved the way to the adoption of a Journal of Accounts and had resulted in the payment of the long outstanding public debt, is told in detail in a previous section of the Introduction on the "Journal of Accounts" (). This compromise resulted in the passage of "An Act for the Payment of the Public Claims, for Emitting Bills of Credit, and other Purposes." The retirement in full in the preceding year of the old Bills of Credit or paper currency issued under the acts of 1733, 1754, and 1756, had resulted in a "great Scarcity of Specie at this time . . . [making] an Additional Circulating Medium in this Province Necessary for the Purposes of Trade and Commerce." The preamble of this act gave the public debt of the Province as 5,623,499 pounds of tobacco (equivalent to £21,088:2:0 sterling), and also £19,841:1:2 current money (£11,904:12:8 sterling) amounting in all to £32,992:15:2 sterling. There were in the hands of the London Trustees £26,800 Bank of England stock and uninvested dividends of £5,230:17:2, amounting to £32,030:17:2 Sterling. The Act authorized the issuance of Bills of Credit or paper currency of various denominations to run ten years, to be issued in terms of dollars, to the amount

of 173,733 dollars, at the rate of four shillings and sixpence sterling to the dollar, amounting in all to £39,089 sterling; this issue to be secured by the £32,030:17:2 sterling invested in Bank Stock in the hands of the London Trustees. As the Bank of England stock with its prospective dividends would be more than sufficient to take up the Bills of Exchange at maturity, no taxes were dedicated to be added to the Sinking Fund, as in the case of old issue of Bills of Credit recently retired. These new Bills of Credit were to be issued to pay the public debt in arrears and a reserve of sufficient amount to pay the Clerk of the Upper House should the Crown so decide, leaving a small balance to be used as the Assembly might direct. Two commissioners, to be appointed by the Lord Proprietary or the Governor, were to supervise the printing and issuing of the Bills of Credit in the form of paper currency; the commissioners were to keep a fair account of all receipts and expenditures, to be laid before a joint committee of the two houses to be appointed at the next session, the commissioners after reporting to be thereupon discharged. The paper currency was to be deposited in one of the Iron Chests in the Paper Currency Office, this Chest to have two locks with different combinations, each Commissioner to have a key, so that neither might have access except in the presence of the other. When the Office or repository was turned over to the joint committee of the two houses, the Governor was to have the key of the Office, one of the keys of the Iron Chest was to be held by the President of the Upper House, the other by the Speaker of the Lower House. The act specifically provided that this issue of Bills of Credit should not be construed as legal tender in discharge of any contract, unless so provided in the contract (pp. 264, 275). The two Commissioners appointed by Governor Sharpe were John Clapham and Robert Coudon (*Maryland Historical Mag.* XXVI, 1931, 355).

At the 1768 session, a joint committee appointed by the Assembly, composed of two members of the Upper House and ten members of the Lower House, with Benedict Calvert as chairman, inspected the recently created Office for Issuing Bills of Credit and the accounts of the commissioners appointed to pay off the public claims and issue the Bills of Credit and, on June 22, 1768, rendered its report. It found that as of May 21, 1767, the Trustees in London held £31,000 stock of the Bank of England, which had been acquired at a cost of £39,179:17:6 Sterling, and £1,235:4:0 Sterling uninvested. It was also reported that Bills of Credit to the amount of 145,808 dollars in Bills had been paid out to claimants up to March 5, 1767, and that since then additional sums had been paid out under orders of the Assembly, leaving in the office unissued paper currency to the amount of 17,466 dollars.

There were considerable misgivings as to whether this issue of Bills of Credit or paper currency was legal and not contrary to a recent act of Parliament prohibiting the issue of paper money by the colonies to be used as legal tender. Although the credit of Maryland among the colonies stood high because its previous issue of Bills of Credit had been amply secured by Bank of England stock held in a sinking fund and paid off in full, the paper money of certain other colonies was so unstable and showed such great depreciation, that

Parliament had interfered to prevent other issues. The Maryland authorities felt, however, that if the payment of its recent issue was secured by an ample sinking fund held by Trustees in London and a provision in the act specifically stated that it was not to be considered legal tender unless this was specifically provided by contract, it would not run afoul of the parliamentary prohibition. The correspondence of Governor Sharpe with the Proprietary, Frederick, Lord Baltimore, and his Secretary, Hugh Hamersley, reveals, however, that they had some misgivings as to its legality being unquestioned (*Arch. Md.* XIV, 352, 356, 390, 396, 397, 416). Events showed, however, that the legality of the issue was not brought into question by the British Government.

Following the passage of the act for the emission of these Bills of Credit the houses sent a joint address to Frederick, Lord Baltimore, requesting him to have supervision over the Trustees in London, who had charge of the Bank of England stock held as a sinking fund for their redemption, which the Proprietary expressed much pleasure in doing. This has already been discussed earlier in the Introduction (p. xxxii). The death on April 27, 1767, of William Hunt, a prominent London merchant and one of the Trustees of the sinking fund for this and the preceding issue of Bills of Credit, was reported at the 1768 Assembly by his son Thomas Hunt, his executor (pp. 290-291). The executor asked that an act be passed to authorize him to make a payment of £381:18:10, which he said was due to the Province by his father, but which afterwards turned out to have been long since paid (pp. 319, 349, 353, 421; *Arch. Md.* XXXII, 220).

THE REGULATION AND LICENSING OF ORDINARIES AND OF HAWKERS AND PEDDLERS

A dispute about the disposition of license fees from ordinaries or inns, which had existed in Maryland for three-quarters of century, came to a head and ended in 1766. Following the Protestant Revolution of 1689 ordinary license fees, which before this had been granted by Lord Baltimore as a perquisite to his Provincial Secretary, had, following the Revolution, when Maryland had become politically a Royalist Province, been claimed both by the people and by the Provincial Secretary, who was then appointed by the Crown. Since the restoration of the Province to the Calverts in 1715, the fees had been insistently claimed by the Lord Proprietary as under his prerogative, and even more insistently demanded by the Lower House for the public. The story of this struggle during recent years is fully told in the introduction of recent volumes of the *Archives* (LII, ix-x; LIV, liii; LVI, lxvii-lxviii; LVIII, lxvii-lxviii; LIX, xxxvi-xxxvii). This controversy had in recent years prevented the passage of legislation regulating inns and innkeepers.

At practically every session of the Assembly bills were introduced in the Lower House, and passed by it, for the licensing and regulation of ordinaries, the license fees and fines to go to the public, and these bills had been as regularly rejected by the Upper House acting under orders from the Proprietary.

At the November-December, 1765, session, the usual Lower House licensing bill, instead of being passed by the house and sent over to the upper cham-

ber for rejection, was without action referred by the lower chamber to the next Assembly for consideration. The necessity of a law imposing regulations and restraints upon innkeepers had become so insistent that compelling circumstances pointed to a settlement of this long standing dispute in the near future. At the May, 1766, session, a regulatory bill was brought into the Lower House where, after debate, it was decided by the close vote of 20 to 19 that the fees and fines collected should go to the respective counties in which the inns were located and not for such purposes as the Assembly might decide (pp. 27, 30, 48). A motion that the bill be withdrawn and all the entries and proceedings upon it be expunged was defeated by a vote of 20 to 19 (pp. 49-50). When the bill reached the Upper House it was amended to give the disposal of the license fees to the Assembly, and a few minor administrative changes were made in it (pp. 9, 12-13). Thus amended, the bill was returned to the Lower House where it was promptly rejected without explanation; but Sharpe, writing to Secretary Hamersley, said that the Lower House, while really favorable to the amended bill, had rejected it because it denied the right of the Upper House to make any changes whatever in a money bill. Sharpe also wrote that he told the members of the Upper House that had it passed the bill, acting under orders from the Lord Proprietary, he would have been obliged to veto it, as his instructions on this point were obligatory. He wrote requesting that the Proprietary instruct him what he should do if the bill were passed by both houses at the next Assembly (*Arch. Md.* 308, 310). At the November-December, 1766, session, a Lower House bill was passed entitled "An act to remedy the evils arising from the retailing of strong liquors in small quantities without license". The journal does not disclose its scope. After reaching the Upper House it was rejected. The Lower House then ordered a committee to draw up a message to the Upper House "to enforce its passage"; no message was apparently sent and nothing further is heard of the matter (pp. 178-179, 109, 193).

This change in the attitude of the Upper House from opposition to approval of a bill to regulate ordinaries and turn over the license fees to the public was due to events which had transpired at meetings of the Governor's Council during the last few days of the May, 1766, session. The same men who composed the Upper House had, sitting as the Council, on May 23rd, 26th and 27th, brought before them by the Governor his "Instructions" from the Lord Proprietary dated February 7, 1765, directing him not to give his assent to any bill taking from the Proprietary the license fees from ordinaries, which he declared were his prerogative, unless a suspending clause of at least eighteen months was inserted, so that his pleasure as regards the bill might be learned. These instructions have been printed in a previous volume of the *Archives* (LIX, pp. 359-360).

The Council referred these instructions to a committee of its members, of which Daniel Dulany was one. This committee promptly rendered an opinion, which was certainly written by Dulany. The report declared that neither under his charter nor by act of Assembly was the Proprietary vested with the right to regulate ordinaries or to receive the license fees. It declared that by decisions

under the common law, any person in England was entitled to follow the trade of innkeeper, as he was any other trade or calling, without license from the Crown; that by various temporary regulatory acts of the Maryland Assembly, the money from licenses had been in the past applied to various uses, but that in the several intervals between the expiration of former acts and the passage of new laws and, more specifically, since the expiration of the act of 1763, ordinaries in Maryland had only been subject to the common law; that as no Provincial act now vested the right to the fees in the Proprietary, the latter could only claim them under his charter, which, being silent as to this, could not be construed to give him a prerogative that the Crown did not possess under the common law in England. The opinion concluded by saying that if the Proprietary is entitled to these fees there must be some legal remedy open to him to compel innkeepers to obtain licenses from him, but that no such remedy is known to the committee or has ever been suggested to them. The Council thereupon unanimously adopted the report of the committee and in an address to the Governor, after saying that it was their opinion that as the fees were not of the prerogative of the Proprietary, it appeared that for him to insist upon the claim would only be productive of various general dissatisfactions. It was ordered that the report and addresses be recorded in the Proceedings of the Council but not in the Upper House journal. (*Arch. Md.* XXXIII, 143, 147). Thus forever ended the long standing dispute as to where lay the right to the fees from ordinaries, to be followed soon after by the passage of the regulatory bill and the vesting of the license fees in the public.

The bill regulating ordinaries as passed levied a license fee of £4 annually on inns and ordinaries and an equal amount on hawkers, peddlers, and petty chapmen. Rates for liquors and board were under the act to be fixed by the justices of the county courts. Licenses for coffee houses, where neither beds nor stabling was required, might also be granted, one to each of the following towns—Annapolis, Chester Town, Baltimore Town, and Frederick Town. Every inn was required to provide at least six feather beds and stabling for ten horses. No innkeeper might hold public office. There were special provisions for the sale of liquor at fairs and races. Servants and apprentices might not be served without the approval of their masters. No innkeeper might “game” in his own inn. These fees and fines were to be paid respectively to the treasurers of the Eastern and Western Shores, to be used as the Assembly might direct (pp. 473-480).

As has been said, at the 1768 Assembly the licensing of hawkers, peddlers and petty chapmen and the disposition of the license fees from them was also finally settled. The licensing and regulation of these peripatetic merchants had also been a matter of dispute between the Lord Proprietary, who claimed the fees under his prerogative, and the Lower House, which claimed them for the public. In 1754 a bill licensing hawkers and peddlers had been passed by the Lower House, to be rejected by the upper chamber. It was revived again at the 1766 sessions, to meet once more the same fate, not on account of the provisions of the bill, but because at recent sessions the Lower House had denied the right of the Upper House to make any changes in a money bill. At

the May, 1766, session the bill passed the Lower House by a vote of 27 to 19, several members of the Proprietary party voting for it. This bill, which dedicated the license fees to the public schools of the counties, was amended by the Upper House so that the disposition of the fees was left to the Assembly, which again caused its rejection. At the 1768 session the licensing of hawkers, peddlers, and petty chapmen was incorporated in the bill, which also regulated and licensed ordinaries, the Dulany opinion cited in the previous paragraph obviously covering licenses from both sources.

BENJAMIN FRANKLIN IN MARYLAND POLITICS

Attention was called in the introduction to the preceding volume of the *Archives* dealing with Assembly affairs for the years 1764-1765 to a war of pamphleteers waged in the year 1764, in which the Proprietary government in Maryland was violently attacked, and as ardently defended, by anonymous writers. Two of these controversial pamphlets are reprinted in that volume (*Arch. Md.* LIX, pp. lxxix-lxxii, 367-457). The attacking pamphlet, which bore neither the name of the author nor the place of publication, was entitled "Remarks Upon a Message sent by the Upper to the Lower House of Assembly of Maryland—1762", by "A Friend of Maryland", and vigorously reflected the anti-Proprietary attitude of the Lower House. The defending anonymous pamphlet, also by "A Friend of Maryland", whose identity has not been established, was apparently printed in London; it has a very long title which may be here abbreviated as, "An Answer . . . to the Remarks upon a Message". There were reasons for suspecting that the "Remarks" came from the press of Franklin and Hall of Philadelphia, and that Benjamin Franklin himself might perhaps have had a hand in its writing, but of this there was no proof. Since the publication of Volume LIX of the *Archives*, Lawrence C. Wroth, an outstanding authority on colonial printing, has pointed out to the editor that in the original manuscript "Franklin and Hall Work Book, 1759-1766", now in the New York Public Library, there is a record of a payment made on July 16, 1764, of £17:6:6 to the firm of Franklin and Hall of Philadelphia by Thomas Ringgold for printing 500 copies of the pamphlet "Remarks upon a Message sent by the Upper to the Lower House of Assembly". Ringgold, a wealthy merchant of Chestertown, Kent County, and one of the leaders of the popular party in the Lower House, who was a correspondent of Franklin, may have had a hand in the preparation of the "Remarks", or, what is more likely, he may merely have been the intermediary who carried the manuscript to Philadelphia to the printers and later paid the bill. That Franklin's firm printed the pamphlet is thus established, but it is still a question whether or not he had a hand in its writing. That he was at the time actively engaged in an attempt to discredit before the Crown the Proprietary government of the Penns in Pennsylvania, would have been an incentive to him also to attack the Proprietary government of the Calverts in Maryland. That Franklin had on previous occasions acted as an informal agent in London for the Lower House of Assembly of Maryland is of course an established fact. The interested reader will find a full discussion of these

pamphlets, their political significance, their possible authorship, and their place of publication, in Volume LIX of the *Archives*, and in Lawrence C. Wroth's *A History of Printing in Colonial Maryland*, 1922 (pp. 220-222).

APPENDIX

In the Appendix will be found reproduced several contemporary archival manuscripts of the 1766-1768 period hitherto not printed, which have a direct bearing upon Assembly affairs. There is also reproduced here an undated petition, which recent investigations show can now be dated 1760-1761.

I. *Petition from Sundry Inhabitants of St. Paul's Parish, 1760-1761.* This petition seeks legislative authority to impose an annual tax of 3 pounds of tobacco upon each taxable inhabitant of the parish to hire an organist to play on the "very good Organ in their Church." This petition, although undated can be assigned to the 1760-1761 period by a study of the signers, at least one of whom died in the year 1761, and some of whom did not arrive in Baltimore County until 1760. There are a number of German names among the signers, but whether these were members of St. Paul's Church, or German Lutherans fond of music, cannot be determined with certainty. About this period other Maryland parishes showed an interest in organ music. Dr. Gustavus Brown had, in 1758, presented an organ to the Portobacco Church, Charles County, and the inhabitants had secured legislation to have imposed a tax of 4 pounds of tobacco per poll upon the county taxables for a salary for an organist (*Arch. Md.* LVI, xxiii, xxiv; LVIII, xxxii, liii), but when St. Anne's Church, Annapolis, sought authority in 1763 to levy a tax of 8 pounds of tobacco to employ Frederick Victor, a foreigner, as organist, the Lower House promptly rejected this extravagance (*Arch. Md.* LVIII, xxv, xxxii, li).

II. *Instructions from the Proprietary to Sharpe.* These Instructions cancelled a former order not to assent to the passage of an act curtailing his right to license ordinaries; and the Proprietary now, under date of August 15, 1766, authorized Sharpe and the Upper House to approve such a bill in view of the opinion of the Council that he had no legal claim to the fees under his prerogative. This permission, he said, was given because it had been represented to him that his claim to those fees tended to obstruct justice and produce general dissatisfaction and that he, knowing the zeal and attachment of Sharpe and the Upper House to his interests, now revoked his previous instructions and directed them "to proceed in the matter as in their discretion seemed fit." The Instructions will be found on pages 501-502 of the Appendix. The controversy over the licenses from ordinaries has been discussed at length in a previous section (pp. cii-cv).

III. *Writs of Replevin.* The repeatedly rejected Lower House bill authorizing the issuance of writs of replevin out of the county courts as well as out of the provincial courts at Annapolis again came up and was rejected by the Upper House at the November-December, 1766, session. Its significance will be found explained on page xl. It is printed on pages 503-504.

IV. *Worcester County tax levy for 1766.* This Worcester County tax levy was adopted by the county court at a meeting held December 8, 1766, at Snow-

hill Town. It is reproduced in full in this Appendix not only because a pre-Revolutionary tax levy has never hitherto appeared in print, but also because it reveals much of interest and shows in detailed form just how the county taxes were spent. The court fixed a tax of 31 pounds of tobacco on the 3833 taxable inhabitants, with an expected yield of 118,513 pounds of tobacco. The lists show various sums due to the several county justices for the year 1766 based on a per diem pay of 64 pounds of tobacco. These payments varied from 1240 pounds to 2240 pounds, dependent upon the number of times a justice had served. The petit and grand jurymen each received 24 pounds of tobacco a day; 185 persons served as jurymen during the year for periods varying from 1 to 29 days. The county paid Henry Johnson, the Clerk of the Court, 2000 pounds for various "public services", 1761 pounds for "criminal fees", and 800 pounds in connection with tobacco inspection fees, all these being in addition to what he may have received as court fees from private suitors. The sheriff, Esme Baily, received 8489 pounds of tobacco for collecting various taxes as well as sundry other payments "for criminal fees". George Hayward, his Lordship's Prosecutor received 320 pounds of tobacco. Interesting entries are payments of from 200 to 1400 pounds of tobacco to seven Worcester county constables of various hundreds "for suppressing tumultuous meetings of negroes, etc. . . ." the year past in their respect hundreds. This outbreak could not have been very severe as no mention of it has been found elsewhere in the Maryland records of this period. Payments were made to various justices for testing the weights and scales at the sundry tobacco warehouses. Jonas Green was paid 2881 pounds of tobacco as the county's share for printing the session laws and Votes and Proceedings of the Assembly. There is a payment of 117 pounds of tobacco to Levin Townsend as "cryer" of the court at the August, 1766, Assizes, the recently created itinerant court. Payment of 1500 pounds was made for keeping the ferry over the Nanticoke River. Perhaps the most revealing items of county expenses were those for the maintenance of the poor and sick of the county. It will be noted that one of the reasons given for the erection of county almshouses and workhouses was the great cost to the county for the care of the poor and the sick in private homes, which resulted in the passage of the act of 1768, for the erection of alms and work houses in Worcester and certain other counties (*Arch. Md.* LIX, xxx-xxx). An examination of this Worcester County levy shows that in the year 1766 over 50,000 pounds of tobacco, or about 40% of the total tax of 118,513 levied, was spent for this purpose. Various individuals were paid amounts averaging perhaps as much as 1000 pounds of tobacco annually for the care in their homes of dependants often referred to as "poor objects", such as the aged, invalids, the blind, epileptics, lunatics, idiot children, and dependent children. There are a few payments for the burial of county dependents. In one instance a daughter was paid by the county 1200 pounds of tobacco for maintaining "her poor helpless parents the year past." In one instance the county benefitted to the extent of 400 pounds of tobacco from the sale of a bastard child (p. 513). Worcester County paid out 8000 pounds of tobacco for bounties upon linen made in the county under the terms of the act "for the benefit of the poor and

the encouragement of industry" (pp. xxxii, 512). There were also bounties paid for bear scalps, and a wolf's scalp. There are numerous other items in the levy shedding light upon the every-day life of the people, which are too numerous to mention.

V. *Coventry Parish, Worcester County*. As has been previously noted under the section on churches and clergy, Coventry Parish, Worcester County, had for years to endure the notorious Reverend Nehemiah Whitaker as its Rector (pp. lxx, lxxii). Upon his death in 1766, the parish sought to have a say in the appointment of Whitaker's successor, but as this was of the prerogative of the Lord Proprietary, they were unsuccessful in doing so. In the Appendix will be found a petition from the inhabitants of Coventry Parish, requesting the appointment of the Reverend Dr. Thomas Bradley Chandler as their rector (pp. 513-517).

VI. *Letter to the House of Representatives of Massachusetts*. The letter from the Lower House, dated June 24, 1768, signed by the Speaker and directed to the House of Representatives of Massachusetts, protesting against the Townshend Acts imposing duties on tea, glass, paper, and painter's colors brought into the colonies, will be found printed in the Appendix (pp. 518-519). It does not appear in the journal of the Lower House but is reprinted in the Appendix from the issue of the *Annapolis Gazette* for July 28, 1768. This letter will be found fully discussed in a previous section of the Introduction (pp. lix-lxiii).

VII. *Removal of the Baltimore County Court House from Joppa to Baltimore Town*. The 1768 Assembly passed an act removing the county seat from Joppa on Gunpowder River to Baltimore, after petitions signed by 2271 inhabitants favoring removal and 901 opposing it had been presented, and hearings before both houses of the Assembly had been held. These several petitions are printed in the Appendix (pp. 520-580). The large number of German names among the signers in Baltimore Town and the western parts of the county are to be noted. A very large proportion of those wishing to keep the court house at Joppa were residents of what is now Harford County. These lists of signers seem to represent practically all the adult free male white population of the county, and is a virtual county census for the year 1768. This interesting episode in the pre-Revolutionary history of Baltimore has been narrated in some detail earlier in this Introduction (pp. lxxxv-xc).

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 9-27, 1766.

Being the Third Session of the Assembly Elected in

November-December, 1764

FREDERICK CALVERT, LORD BALTIMORE

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Friday the 9.th day of May in the Sixteenth Year of his Lordships Dominion Anno Domini 1766.

U. H. J.
Liber No. 36
1766
May 9
p. 306

Present.

His Excellency Horatio Sharpe Esq.^r Governor.

The Honble.	{	Benjamin Tasker Esq.. ^r	}	Richard Lee Esq.. ^r
		Chas.. ^s Hammond Esq.. ^r		Daniel Dulany Esq.. ^r
		Samuel Chamberlain Esq.. ^r		John Ridout Esq.. ^r
		Benedict Calvert Esq.. ^r		Henry Hooper Esq.. ^r

Mess..^{rs} John Goldsborough and Thomas Ringgold acquaint His Excellency that there are a Sufficient Number of Members met to make a House and wait His Excellencys Commands.

John Ridout and Henry Hooper Esq..^{rs} are sent to acquaint the Lower House that His Excellency requires their Attendance in the Upper House immediately.

The Lower House attend and His Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

Having found by Experience that many Gentlemen cannot attend here on the Public Business at that Season of the Year when you were last Convened, and apprehending it would be Convenient for the Members of both Houses to meet at this time in Order to frame such new Laws as the present Circumstances of the Country require, and to Continue any that may have been found useful and will otherwise expire before the end of the Year, I now give you an Opportunity of doing so, not doubting but your Proceedings during the Course of the Session will shew that you come together with Minds sincerely disposed to promote the Tranquillity and Welfare of the Province

Adjourned till 3 of the Clock in the Afternoon.

Eodem Die post Meridiem.

This House met again according to Adjournment

Present as in the Morning.

Adjourned till to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 36
May 10

Saturday Morning 10.th May 1766.

This House met again according to Adjournment

Present as Yesterday

p. 307 Adjourned till Monday Morning 10 of the Clock

May 12

Monday Morning 12.th May 1766.

This House met again according to Adjournment

Present as on Saturday and Cha.^s Goldsborough Esq.^r

Mess.^{rs} Sullivan and Lecompt attend with Col.^o John Henry a Member Elected for Dorchester County to see him Qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly repeats and Subscribes the Abjuration and Test and then withdraws.

Benjamin Tasker Esq.^r attended by the Members of this House presents to his Excellency their Address, which follows in these Words

To His Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the Upper House of Assembly

May it please your Excellency.

His Majestys faithful and Loyal Subjects the Upper House of Assembly beg your Excellency's Acceptance of Our Thanks for your Speech at the opening of this Session, Your Convening the Assembly at this time upon a Supposition that it would be more Convenient for the Members in General to meet now than later in the Year is very Obliging, we shall for Our part readily Embrace the Opportunity afforded us of giving a longer Duration to any temporary Laws that have been found useful and framing such others as the present Circumstances of the Country require and We assure you that it is Our Earnest Desire and will be Our Constant Endeavour to preserve the Tranquillity and Promote the Welfare of this Province

12th May 1766.

Benjamin Tasker. Presid.^t

Adjourned till 3 of the Clock in the Afternoon

Eodom Die post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned till to Morow Morning 10 of the Clock

Tuesday Morning 13.th May 1766.

U. H. J.
Liber No. 36
May 13

This House met again according to Adjournment

Present as Yesterday

Adjourned till to Morrow Morning 10 of the Clock

Wednesday Morning 14.th May 1766.

May 14

This House met again according to Adjournment

Present as Yesterday

His Excellency is pleased to Communicate to this House his Answer to their Address which follows in these Words. p. 308

Gentlemen of the Upper House of Assembly

I return you thanks for your Polite Address and have no doubt but your Conduct will Correspond with the assurance you are pleased to give me.

The 12.th May 1766.

Hor.. Thorpe

Read and referred the Petition of the Rector Vestrymen and Sundry Inhabitants of Somerset Parish in Somerset County and sent by Sam.^l Chamberlaine Esq..^r

Adjourned till to Morrow Morning 10 of the Clock

Thursday morning 15.th May 1766.

May 15

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petition of the Vestry and Church Wardens of Chester Parish in Kent County

Read and referred the Petition of sundry Inhabitants of Frederick County praying the Erection of a Workhouse and Hospital. these two Petitions sent to the Lower House by Daniel Dulany Esq..^r

Read and referred the Petitions of the following Prisoners Viz..^t Henry Heinzman, John Berry, and John Davis of Frederick County, Littleton Brombly, Levin Laramore, William Truitt, Elias Townshend Savoy Wing, Charles Moore, Thomas Pearson, Jonathan Hudson, Robert Nelson, Philip Rain, and John Mears of Worcester County, Locker Young of Prince Georges County and Thomas Hicks Newton of Calvert County Sent by Col.^o Hammond.

Read and referred the Petition of John Jeremiah Myer of Frederick County. Sent by Col.^o Hooper.

Read and referred the Petitions of Ignatius Spalding, John Vain and Stephen Tare Prisoners in Charles County Goal. Sent by John Ridout Esq..^r

Adjourned till 3 of the Clock in the Afternoon

U. H. J.
Liber No. 36
May 15

Eodem Die Post Meridiem.

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock

May 16

Friday Morning 16.th May 1766.

This House met again according to Adjournment

Present as Yesterday

p. 309 Read and referred the Petition of the following languishing Prisoners Viz.^t Michael McDorman, Edward Bennett, John Knowles, Joseph Holder, Peter Magee, Neomie Kelsick, and Pricilla Barclay of Somerset County, George Matthews and James Ager of Baltimore County Sent by Col.^o Hooper.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock.

May 17

Saturday Morning 17.th May 1766.

This House met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem.

This House met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning 10 of the Clock.

May 19

Monday Morning 19.th May 1766.

This House met again according to Adjournment

Present as on Saturday

Read and referred the Petition of the Inhabitants of Baltimore Town relating to a Miry Marsh in said Town which they represent as a Nuisance and pray Relief from.

Read and referred another Petition of the Inhabitants of the same Town praying An Act for the Inspection of Flour Shingles &c

U. H. J.
Liber No. 36
May 19

Read and referred the Petition of the Vestry and Parishioners of Stepney Parish.

Read and referred the Petition of Jn.^o Jeremiah Myer and Thomas Schley Sent these Petitions by Richard Lee Esq.^r

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Read and referred the Petition of John Deale a Prisoner in Prince Georges County Goal Sent by Col.^o Hooper.

Adjourned till to Morrow Morning 10 of the Clock.

Tuesday Morning 20.th May 1766.

May 20

This House met again according to Adjournment

p. 310

Present as Yesterday.

Mess.^{rs} Chase and Selby bring from the Lower House a Bill Entitled, An Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned.

Read the first time and ordered to lye on the Table.

Adjourned till 3 of the Clock in the Afternoon.

Eodem Die post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Read and referred the Petition of Cap.^t William McLillan and John Wolgamot. Sent by Daniel Dulany Esq.^r

A Bill by Mess.^{rs} Graham and Allen Entitled An Act for Licencing Hawkers and Pedlars

Read the first time and ordered to lye on the Table.

Read and referred the Petitions of the following Prisoners Viz.^t Rich.^d Freeman and William Morgan of Calvert County, Nathan Joyce and Shepherd Grimes of Ann Arundel County and George Belt of Baltimore County Sent by Sam.^l Chamberlain Esq.^r

Adjourned till to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 36
May 21

Wednesday Morning 21.st May 1766.

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entitled An Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned and will Pass with the following Prisoners Names being inserted in their respective Countys. Viz..^t

Henry Heinzman	} of Fred.. ^k	Nathan Joyce	} Ann Arundel
John Berry		Shepherd Grimes	
John Davis			
Tho. ^s Hicks Newton	} of Calvert	George Belt.	Baltimore
Rich.. ^d Freeman			
William Morgan			Sent by Benedict Calvert Esq.. ^r

Read the second time the Bill Entitled, An Act for Licencing Hawkers and Pedlars. and will Pass with the following Amendments. Viz..^t

After the Words "Sum of" in the eleventh Line of the first Page insert the Word five instead of the Word "ten."

p. 311 After the Word "Shore" in the eleventh Line of the Third Page insert the following Words Viz..^t Such Treasurer to have and retain a Commission of five Pounds p Centum and no more, on the Monies to be paid to him in Virtue of this Act

In the fourteenth and fifteenth Lines of the third Page leave out the Words "to the use of the County Schools in this Province" and insert in their place the following Words Viz..^t "as the General Assembly of this Province for the time being shall direct and appoint

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read and referred the Petition of the Vestrymen and Inhabitants of William [and Mary] Parish in Charles County. Sent by Richard Lee Esq..^r

A Bill by Mess..^{rs} J: Goldsborough and Selby Entitled, An Act Continuing An Act Entitled An Act to prevent disabled and Superannuated Slaves being set free or the Manumission of Slaves by any last Will or Testament.

Read the first and Second time by Especial Order and will Pass.

A Bill by Mess..^{rs} Wilson and Ware Entitled An Act to vest the Title of and in a certain Lott or parcel of Land in John Jeremiah Myer.

Read the first and second time by Especial Order and Will Pass. U. H. J.
Sent these two Bills by Benedict Calvert Esq..^r Liber No. 36
Adjourned till to Morrow Morning 10 of the Clock May 21

Thursday Morning 22^d May 1766.

May 22

This House met again according to Adjournment

Present as Yesterday

A Bill by Col.^o Tilghman and John Hammond Esq..^r Entitled
An Act for regulating Inn holders and Ordinary Keepers within this
Province.

Read the first time and ordered to lye on The Table.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock

Friday Morning 23.^d May 1766.

May 23

This House met again according to Adjournment

Present as Yesterday

p. 312

The two following Bills by Mess..^{rs} Hanson and Graham Viz..^t
A Bill Entitled An Act for issuing Replevin out of the County
Courts of this Province

A Bill Entitled An Act for raising four pence Sterling on every
Hogshead of Tobacco exported out of this Province for the Support
of an Agent at London for the Service of this Province these two
Bills read the first time and Ordered to lye on the Table.

Read and referred the Petition of Burr Harrison late an Officer
in the Maryland Forces Sent by Benedict Calvert Esq..^r

Read and referred the Petition of Col.^o Frederick Haldimand,
and Sent by Daniel Dulany Esq..^r

A Bill by Mess..^{rs} F: Gant and W: Adams Entitled An Act for
the Relief of certain Languishing Prisoners in the several Goals
therein mentioned with the following Message

By the Lower House of Assembly. 23^d May 1766.

May it please your Honours

This House agree to your Honours proposed amendment of the
Bill Entitled An Act for the Relief of certain Languishing Prisoners

U. H. J. on the several Goals therein mentioned so far as to insert the Names
 Liber No. 36 of Thomas Hicks Newton, Richard Freeman and William Morgan
 May 23 of Calvert County, Nathan Joyce and Shepherd Grimes of Ann
 Arundel County and John Berry of Frederick County and have
 amended the Bill accordingly But as to Henry Heinzman and George
 Bell of Prince Georges which should be Baltimore County, we
 cannot Concede to the amendment proposed as we are not apprized
 of any Circumstances to merit the Interposition of the Legislature
 in favour of those Petitioners, on the Contrary, We are informed
 that the Principal Creditor at whose Instance Henry Heinzman is
 now detained and who became so by being his Surety hath Offered
 to take his Bond for his Claim and discharge him from Goal which
 Heinzman hath refused. That John Davis hath been Guilty of a
 Riot in the Goal and is detained on that Account as well as for
 Debt, and that George Beall is Strongly Suspected of having acted
 fraudtently towards his Creditors, and no recommendation of the
 said Georges Bealls Petition by the Magistrates in his County ap-
 pears to this House nor does it in any manner appear to us that
 p. 313 the Creditors of the said George Beall have any Notice of his Petition,
 We therefore hope your Honours Concurrence with the Bill as
 now returned to you for that purpose

Signed p Order MMacnemara Cl: Lo: Ho:

A Bill by Mess.^{rs} J. Goldsborough and Col.^o Henry Entitled An
 Act for Trial of all Matters of Fact in the several Counties where
 they have arisen or shall arise.

Read the first time and ordered to lye on the Table.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridien.

This House met again according to Adjournment

Present as in the Morning

Read the Third time the Bill Entitled An Act for the Relief of
 certain Languishing Prisoners in the several Goals therein men-
 tioned and will pass as it is now amended. Sent by John Ridout Esq.^r

Adjourned till to Morrow Morning 10 of the Clock.

May 24

Saturday Morning 24th May 1766.

This House met again according to Adjournment

Present as Yesterday

A Bill from the Lower House by Mess.^{rs} Tilghman and Graham
 Entitled An Act directing a Copy of the last Will and Testament of
 Brigadier General Bouquet to be recorded in the Prerogative Office

of this Province and for other purposes therein mentioned Read the first and second time by an Especial Order and will Pass. Sent by Richard Lee Esq..^r

U. H. J.
Liber No. 36
May 24

Mess.^{rs} J. Goldsborough and J. Hanson bring from the Lower House the Journal of Accounts

Mess.^{rs} Willson and Wright bring from the Lower House a Bill Entitled A Supplementary Act to the Act Entitled An Act for the Speedy Trial of Criminals and ascertaining their Punishment in the County Courts when prosecuted there and for Payment of Fees due from Criminal Persons. which was read the first and second time by Especial Order and will Pass

Read the second time the Bill Entitled An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise and will Pass with the following Amendments

In the eighth Line of the first Page insert the Word "any" betwixt the Words "that" and "two."

In the same Line Strike out the Words "on each side of the Bay" and insert them betwixt the Words "Delivery and" in the tenth Line of the same Page. p. 314

In the fourth Line from the Bottom of the same Page, insert the Words "to serve" betwixt the Words "aforesaid" and "on"

In the Sixth Line of the second Page Strike out the Words "on the Eastern Shore" and insert in the same Line betwixt the Words "aforesaid" and "or the following Words Viz..^t "to serve on the Eastern Shore"

In the fifth Line from the Bottom of the second Page insert the Words "tending to" instead of the Word tendering.

Make the same Alteration in the last Line of the same Page

In the fourth Line of the third Page Strike out the Word "Twenty" and insert the Word "fourteen"

Strike out the Proviso beginning in the seventh Line of the third Page and ending in the Ninth Line of the same

In the fourteenth Line of the fourth Page insert the Word "twelve" betwixt the Words "said" and "Persons."

After the Proviso at the Bottom of the Sixth Page, insert the following Clauses Viz..^t See fol.^o 50 of the Printed Act Sect: 18 and 19.

In the first Line of the Ninth Page insert the Word "Adjourned" betwixt the Words "the" and Provincial.

In the second and third Lines of the same Page Strike out the Words "April Term in the Year of Our Lord One Thousand seven hundred and Sixty Six" and insert in the place thereof the Words "Said Court."

In the second and third Lines from the Bottom of the last Page

U. H. J. Strike out the Word "Seven" and insert the Word "three." Sent
 Liber No. 36 by Richard Lee Esq.^r
 May 24

Adjourned till 3 of the Clock in the Afternoon

Eodem Die Post Meridiem.

This House met again according to Adjournment

Present as in the Morning

Read and assented to the List of Debts incurred on Account of the late War. Sent together with the Journal of Accounts and the following Message by Sam.^l Chamberlain Esq.^r

By the Upper House of Assembly 24.th May 1766.

Gentlemen.

We have no objection to the several Allowances made to the Militia that served on the Frontiers during the late War or to the Payment of such Persons as Supplied them with Provisions or were put to Expences by furnishing Necessaries to any of His Majestys Forces that were Quartered in this Province and therefore have assented to the Book of Accounts wherein those Claims are adjusted: but We cannot assent to the Journal Accounts because the usual Allowance is not therein made to the late and present Clerk of the Council, nor to Our Clerk for making three Copies of the Upper House Journal for the last Session

Signed p Order Upton Scott Cl: Up.. Ho:

Read the second time the Bill Entitled, An Act for issuing Replevins out of the County Courts of this Province. and will not Pass.

Read the second time the Bill Entitled An Act for raising four pence Sterling on every Hogshead of Tobacco exported out of this Province for the Support of An Agent in London for the Service of this Province and will not Pass. Sent these two Bills by Samuel Chamberlain Esq.^r

A Bill by Mess.^{rs} Lee and Heath Entitled An Act to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to Nominate and recommend Inspectors for Baltimore Town Warehouse. Read the first and second time by an Especial Order and will Pass Sent by Daniel Dulany Esq.^r

Adjourned till Monday Morning 10 of the Clock

May 26

Monday Morning 26.th May 1766.

This House met again according to Adjournment

Present as on Saturday and Col.^o Henry

Read the second time the Bill Entitled, An Act for Regulating Inn holders and Ordinary Keepers within this Province and will Pass with the following Amendments

The Word "Ordinary" at the Bottom of the first Page to be left out

U. H. J.
Liber No. 36
May 26

In the second Page and in the fourth and fifth Lines leave out the Words "at every November Court shall Deliver to the several Justices" and in their place insert the following Words Viz.[†] "on or before the last day of February Yearly shall return to the Treasurers of the Western and Eastern Shores respectively where the said Clerks shall Officiate

Leave out in the same Page the Eighth Ninth tenth and eleventh Lines and insert in their place the following Clause.

Be it enacted by the Authority aforesaid that all and every the sum and sums of Money to be paid unto received and Collected by the Sheriffs aforesaid by Virtue of this Act by them and every of them be paid into the hands of the Treasurers for the time being on or before the last day of April every Year in manner following Viz.[†] all and every Sum and Sums of Money paid unto received and Collected by the Sheriffs of the respective Counties on the Western Shore shall be paid by the said Sheriffs into the hands of the Treasurer of the said Shore and all and every Sum and Sums of Money paid unto received and Collected by the Sheriffs of the respective Counties on the Eastern Shore shall be paid by the said Sheriffs into the hands of the Treasurer of the said Shore deducting thereout the Salary aforesaid and all and every Sum and Sums of Money to be paid as aforesaid into the hands of the said Treasurers respectively shall be Subject to such Application from time to time as the General Assembly of this Province for the time being shall direct and appoint the said Treasurers respectively retaining a Commission of five Pounds p Centum on all Monies to be paid unto and received by them in Virtue of this Act. p. 316

In the Twentieth Line of the third Page leave out the Word "is" and insert "are"

Leave out the second Line of the fourth Page and the Words "as aforesaid" in the third Line of the Same Page, and insert the following Words "to be received by the Sheriff and applied" in the manner above directed

In the Lines Twenty third and Twenty fourth of same Page leave out the Words to the use of the County by the Justices.

In the eleventh Line of the Sixth Page leave out the Words "for the use of the respective County" Sent by Col.^o Hooper.

Adjourned till three of the Clock in the Afternoon

Eodem Die post Meridiem.

This House met again according to Adjournment

U. H. J.
Liber No. 36
May 26

Present as in the Morning

A Bill by Mess.^{rs} Gant and Hall /of Balt.^r/ Entitled An Act for reviving and Continuing of Actions and Process in several of the Courts of Law within this Province

Read the first time and Ordered to lye on the Table

Adjourned till to Morning 10 of the Clock

May 27

Tuesday Morning 27.th May 1766.

This House met again according to Adjournment

Present as Yesterday

Mess.^{rs} Wright and Adams bring up the following Engrossed Bills, thus Subscribed

Read and assented to By the Lower House of Assembly 27.th May 1766.

Signed p Order MMacnemara Cl Pp.^r Ho:

A Bill Entitled An Act Continuing An Act Entitled An Act to prevent disabled and Superanuated Slaves being set free or the
p. 317 Manumission of Slaves by any last Will or Testament.

A Bill Entitled An Act to vest the Title of and in a certain Lot or parcel of Land in Jn.^o Jeremiah Myer

A Bill Entitled An Act for the Relief of certain languishing Prisoners in the several Goals therein mentioned.

A Bill Entitled An Act directing a Copy of the last Will and Testament of Brigadier General Bouquet to be recorded in the Prerogative Office of this Province and for other purposes therein mentioned.

A Bill Entitled An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise

A Bill Entitled a Supplementary Act to the Act Entitled An Act for the Speedy Trial of Criminals and ascertaining their Punishments in the County Courts when Prosecuted there and for Payment of Fees due from Criminal Persons.

The above Bills is read and assented to by this House and ordered to be so Subscribed The Paper Bills sent to the Lower House by J. Ridout Esq.^r

Read the second time the Bill Entitled An Act for reviving and Continuing of Actions and Process in several of the Courts of Law within this Province and will Pass Sent by Benedict Calvert Esq.^r

An Engrossed Bill by Mess.^{rs} Hanson and H: Hall Entitled An Act for reviving and Continuing of Actions and Process in

several of the Courts of Law within this Province thus Subscribed.
27.th May 1766.

U. H. J.
Liber No. 36
May 27

Read and assented to By the Lower House of Assembly

Signed p Order MMacnemara Clk Lo: Ho:

Read and assented to by this House and Ordered to be so Subscribed. The Paper Bill is sent by John Ridout Esq..^r

An Engrossed Bill by Mess.^{rs} Heath and Hall /of Balt^r/ Entitled An Act to enable the Vestrymen and Church Wardens of S..^t Pauls Parish in Baltimore County to Nominate and recommend Inspectors for Baltimore Town Warehouse.. thus Subscribed. 27th May 1766

Read and assented to by the Lower House of Assembly

Signed p Order MMacnemara Clk Lo: Ho:

Read and assented to by this House and ordered to be Subscribed. The Paper Bill is sent by Benedict Calvert Esq..^r

Ordered that the Clerk of this House receive the same Fees on all Private Bills passed this Session which shall be received by the Clerk of the Lower House of Assembly Samuel Chamberlain and Richard Lee Esq..^{rs} are sent to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower House to see the Bills passed both Houses this Session, receive the Assent

p. 318

The Lower House attend, and by their Speaker presents to his Excellency the following Bills.

A Bill Entitled, An Act Continuing An Act Entitled An Act, to prevent disabled and Superannuated Slaves being set free, or the Manumission of Slaves by any last Will or Testament.

A Bill Entitled, An Act to Vest the Title of and in a certain Lot or parcel of Land in John Jeremiah Myer.

A Bill Entitled An Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned

A Bill Entitled An Act directing a Copy of the last Will and Testament of Brigadier General Henry Bouquet to be recorded in the Prerogative Office of this Province and for other purposes therein mentioned.

A Bill Entitled, An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise

A Bill Entitled, a Supplementary Act to the Act Entitled An Act for the Speedy Trial of Criminals and ascertaining their Punishment in the County Courts when Prosecuted there and for Payment of Fees due from Criminal Persons.

A Bill Entitled An Act for reviving and Continuing of Actions and Process in several of the Courts of Law within this Province

A Bill Entitled An Act to enable the Vestrymen and Church Wardens of S..^t Pauls Parish in Baltimore County to Nominate and recommend Inspectors for Baltimore Town Warehouse.

U. H. J. All which His Excellency passed into Laws in the usual form, by
Liber No. 36 Sealing them with the Right honourable the Lord Proprietary his
May 27 Great Seal at Arms and Subscribing them on behalf of the Right
honourable the Lord Proprietary of this Province I WILL THIS
BE A LAW.

After which His Excellency was pleased to Conclude this Session with the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the Advice of his Lordships Council of State to Prorogue this Assembly to Monday the 27.th day of October next, You are therefore to take Notice that you are prorogued that day accordingly

p. 319 Thus ends this Session of Assembly begun and held at the City of Annapolis on Friday the 9.th day of May, ending the 27.th day of the Same Month in the Sixteenth Year of His Lordships Dominion and in the Sixth Year of His Majestys Reign Annoq Domini 1766.

Upton Scott Cl. Up.^r Ho :

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

At a Session of Assembly held at the City of Annapolis on Friday the Ninth day of May in the Year of our Lord One thousand Seven hundred and Sixty Six in the Sixteenth Year of the Dominion of the Right Honble Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c.^a (His Excellency Horatio Sharpe Esq.^r being Governor The following Delegates Appeared in the Lower House of Assembly

L. H. J.
Liber No. 52
1766
May 9
p. 358

The Honble Rob.^t Lloyd Esq.^r Speaker

For S.^t Marys County

George Plater Esq.^r
Daniel Wolstenholme Esq.^r
M.^r Henry Greenfield Sothoron

For Somerset County

S[amuel] Wilson Esq.^r
M.^r William Adams
M.^r John Adams
Cap.^t William Winder

For Kent County

Tho.^s Ringgold Esq.^r
Col.^o Richard Lloyd
M.^r Rob.^t Buchanan

For Talbot County

M.^r J[ohn] Goldsborough

For Dorchester County

M.^r Dan.^l Sulivane
M.^r Philemon Lecompte
M.^r Rob.^t Goldsborough. 3.^d

For Ann.^l County

M.^r Brice Tho.^s Beale Worthington
M.^r Henry Hall
John Hammond Esq.^r

For Baltimore County

Cap.^t Thomas Cockey Deye
M.^r John Hall

For Calvert County

M.^r Edward Gantt
M.^r Young Parran

For Prince Georges County

William Murdock Esq.^r
M.^r Mordecai Jacob
M.^r Robert Tyler

For Charles County

M.^r John Hanson Jun.^r
M.^r William Smallwood
Cap.^t Francis Ware

For the City of Annapolis

Sam.^l Chase Esq.^r
John Hall Esq.^r

L. H. J.
Liber No. 52
May 9

For Queen Anns County

Col.^o Edw.^d Tilghman
M.^r Thomas Wright
J[ames] Hollyday Esq.^r

For Frederick County

M.^r Fielder Gantt
Cap.^t Joseph Chapline
M.^r James Smith

A Sufficient number of Delegates to compose a Lower House of Assembly being convened at the Stadt House

Ordered that M.^r John Goldsborough and Thomas Ringgold Esq.^r do Acquaint his Excellency the Governor therewith

J: Ridout Esq.^r and Col.^o Hooper from the Upper House Acquaint M.^r Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House

M.^r Speaker left the Chair and (with the rest of the Members of the Lower House) Attended his Excellency in the Upper House where the Governor made the following Speech Viz.^t

Gentlemen of the Upper and Lower Houses of Assembly

Having found by Experience that many Gentlemen cannot attend here on the Publick Business at that Season of the Year when you was last Convened and Apprehending it would be convenient for the Members of both Houses to meet at this time in Order to frame
p. 359 such new Laws as the Present circumstances of the Country require, and to continue any that may have been usefull and will otherwise Expire before the end of the Year, I now give you an Opportunity of doing So, not doubting but your Proceedings during the course of the Session will Shew that you come together with minds Sincerely disposed to Promote the Tranquility and Welfare of the Province

M.^r Speaker (with the rest of the Members) returned to the Lower House and resumed the Chair

The Governors Speech was Read by the Clerk and Ordered to lye on the Table

Ordered that J. Hall Esq.^r do Acquaint the Rev.^d M.^r Robert Reide [Read] that he is requested by this House to read divine Service at a Quarter of an hour before Nine a Clock in the morning and at five afternoon during this Session

The House Appointed M.^r J. Goldsborough M.^r Sullivane M.^r Wright M.^r Hanson and M.^r R: Goldsborough a Committee of Accounts

M.^r Tyler M.^r Parran M.^r Henry Hall M.^r J. Hall of Baltimore M.^r Chase M.^r Worthington M.^r Wilson M.^r Hammond M.^r Plater M.^r Ringgold M.^r Wolstenholme and M.^r John Hall of Annapolis a Committee to inspect into the several Papers and Records in the Publick Offices and to report to the House the State and Condition thereof and to annex to their Report an exact List of the several books of Record remaining in the Seperate Offices

On reading the Governors Speech the Second time Ordered that M:^r Murdock Col.^o Tilghman M:^r Hammond M:^r Wilson M:^r J. Hollyday M:^r J. Hall of Annapolis and M:^r Wolstenholme do Prepare and bring in an Address in Answer thereto

L. H. J.
Liber No. 52
May 9

Ordered that the following Rules be Observed as such during this Session Viz :^t

1.st That no Member of the House shall use any reviling Speeches or Name any Member by his Proper Name otherwise than for Distinctions Sake, but shall rather use some other Signification as the Gentleman that Spoke last or the like

2.^d That no Member Speak above Once upon any Debate without Licence of the House declared by the Speaker and if two Persons shall rise up together the Speaker shall Appoint who shall Speak first and no Member shall Interrupt any other until the Gentleman Speaking hath ended

3.^d That none shall deliver his Opinion or Speak to any Bill or Debate unless he shall stand up and reverently direct his Speech to the Speaker

4.th That every Bill Proposed by the House shall be read two several Days before it is sent to the Upper House and once after before it be Ingrossed and that between every reading One day shall be intermitted and that in that time the Bill be laid on the Table for the Perusal of all the Members unless on very Urgent Occasions M:^r Speaker with the Consent of the House shall Dispense therewith and then One Bill being read twice at One Sitting shall be as Sufficient as if read several Days when so entered in the Clerks Journal p. 360

5.th That No Person come into the House of Assembly while the same is Sitting with Sword or other Weapon upon Penalty of such fine as shall be imposed on them by the Speaker not exceeding five Shillings for any One Offence

6.th That if any Member Bound to Attend this Assembly shall be Absent at the Hours and Place Appointed after the Number of twelve of the Members with the Speaker are met According to the Order for sitting shall be fined according to the Discretion of the Speaker not exceeding five Shillings for any Offence unless upon lawfull Excuse as the Speaker shall Admit of

7.th That all Misdemeanors which shall happen in the House shall be Censured and fined in the House

8.th That no Bill shall be read at any time during this Session till all the Members in Town be called in except on some excuse to be Admitted by the Speaker

9.th That if any Member of this House do depart without leave from the Honourable Speaker and the House, such Member shall forfeit all his Preceding Allowances due to him for his Attendance that Session

L. H. J. On Motion Ordered that M:^r Speaker do Issue his Warrant to
 Liber No. 52 the Deputy Secretary of this Province to make out a Writ of
 May 9 Election directed to the Sherriff of S:^t Marys County to Elect a
 Delegate to Serve in the General Assembly of this Province in the
 room of Edmund Key Esq:^r deceased

The House Adjourns till 2 of the Clock

Post Meridiem

The House met. According to Adjournment

A Petition of several Poor Prisoners in Ann Arundel Goal complaining of the High Sheriffs usage to them was Preferred to this House. Read the first time and Ordered to lye on the Table

The House Adjourns till the Morrow Morning at 9. of the Clock

May 10

Saturday 10:th May 1766

The House met.

Ordered that William Murdock Esq:^r Col.^o Tilghman M:^r E: Gantt M:^r Jacob and J. Hammond Esq:^r be a Committee of Grievances and Courts of Justice

M:^r E. Gantt and J. Hammond Esq:^r have leave of Absence

J. Hall Esq:^r brings in and delivers to M:^r Speaker an Address to His Excellency which was Read Approved and Ordered to be Ingrossed

J. Hall Esq:^r brings in and delivers to M:^r Speaker the following Ingrossed Address Viz:^t

To His Excellency Horatio Sharpe Esq:^r Governor and Commander in Chief in and over the Province of Maryland

p. 361

The Humble Address of the House of Delegates

May it please your Excellency

We his Majestys most dutiful and Loyal Subjects the Delegates of the Freeman of the Province of Maryland in General Assembly convened beg leave to return You our thanks for your Speech at the Opening of this Session

No Reason Occurs to us Why any Gentlemen cannot Attend here on the Publick business about the last of September or first of October which We think the Season least inconvenient of any, However We doubt not your Excellencys good intention in calling Us together at this time and shall chearfully Proceed to frame such Laws as the Present circumstances of the Country more immediately require and we hope our Proceedings during the course of the Session will Justify your Excellencys favourable Opinion that We come together with Minds Sincerely disposed to Promote the Tranquility and Welfare of the Province

Which was read and Assented to and Signed by Order of the House by the Hon^{ble} Speaker.

L. H. J.
Liber No. 52
May 10

Ordered that G. Plater and S: Wilson Esq:^{rs} do Acquaint his Excellency that this House hath Prepared an Address to be Presented to him and Desires to know when and where he will Please to receive it They return and Acquaint M:^r Speaker the Governor Signified he would receive the Address immediately in the Conference Chamber

Ordered that William Murdock Esq:^r and five more do Present the Address to the Governor

On Motion of Col.^o Tilghman Ordered that a Commēee be Appointed to consider and report by what Law or Custom the Lord Proprietary of this Province receives the fines and forfeitures and Amercm:^{ts} as also the 12:^d p hogsh:^d on all Tobaccos exported out of this Province Also to enquire and report the annual amount of such fines forfeitures Amercm:^{ts} and 12:^d p h:^d distinguishing the same under proper heads And that Col.^o Tilghman J. Hammond J. Hollyday J. Hall S. Chase T. Ringgold Esq:^{rs} M:^r J. Hall of Baltimore William Murdock D: Wolstenholme S. Wilson Esq:^{rs} M:^r Worthington M:^r Hanson and M:^r H. Hall be a Committee for that Purpose and that the Said Committee have Power and Authority to send for Persons Papers and Records Necessary to Perfect such Enquiry and Report the same to the House

The House Adjourns till Monday Morning at 9 of the Clock

Monday 12:th May 1766.

May 12

The House met. According to Adjournment

All Members Appeared as on Saturday except Mess:^{rs} Hammond and Gantt,

Col.^o Hyland M:^r Allen M:^r Selby M:^r Chaille M:^r Harris M:^r Josiah Bealle and M:^r Pollard Edmundson Appeared in the House

M:^r John Henry a Delegate elected for Dorchester County Appeared in the House. p. 362

Ordered that M:^r Sullivane and M:^r Lecompte do go with that Gentleman to the Upper House to see him qualified they return and Acquaint M:^r Speaker they saw the Gentleman qualified in the usual manner, He thereupon took his Seat in the House

Ordered that the Gentlemen App.^d on the sev.^l Committees have leave to withdraw

The Governor communicated to M:^r Speaker the following Message /Viz:^t/
Gentlemen

I return you thanks for your Address and the hopes it gives me that your Proceedings during this Session will be agreeable to my

L. H. J.
Liber No. 52
May 12

Wishes; I thought that in meeting you at this time I was gratifying the desire of your Constituents and taking a Step that would be very agreeable to yourselves.

the 10.th of May 1766

Hor:^o Sharpe

The House Adjourns till 2 of the Clock.

Post Meridiem

The House met

The House Adjourned till the morrow morning at 9 of the Clock

May 13

Tuesday 13.th May 1766

The House met,

J. Hammond Esq:^r M:^r Heath and M:^r Ward Appeared in the House.

M:^r Bealle is Added to the Committee appointed to inspect the Publick Offices and Records &c.

On Motion of Tho:^s Ringgold Esq:^r leave is given to bring in a Bill for regulating Innholders and Ordinary keepers within this Province Ordered that T. Ringgold, T. Johnson and J. Hall Esq:^{rs} do prepare and bring in a bill accordingly

On Motion of T. Ringgold Esq:^r leave is given to bring in a Bill for Licensing Hawkers and Pedlars Ordered That T. Ringgold S. Wilson, J. Hollyday J. Hall and S. Chase Esq:^{rs} do prepare and bring in a Bill

On Motion of M:^r J. Goldsborough, Ordered that a Committee be Appointed to enquire what Laws will expire with the close of this Session unless re Enacted And that M:^r J. Goldsborough Col.^o Henry and Samuel Chase Esq:^r be a Committee for that Purpose and that they make Report thereof to the House

On Motion of M:^r J. Goldsborough that the Committee of Accounts had made Choice of Thomas Duckett to be their Clerk Assistant to the said Committee the House Approved thereof, Ordered that he [be] qualified in the usual manner

p. 363 M:^r Henry Hall Acquaint M:^r Speaker that Tho:^s Duckett had taken the several Oaths to the Government required by Law Subscribed the Oath of Abjuration repeated and Signed the Test and took the following Oath of Office Viz:^t You Thomas Duckett do Swear that you will true Entrys make of all such Matters and things as shall be to you directed by any Committee of the Lower House of Assembly for whom you shall Act as Clerk and that you will not divulge the Secrets of the said House of Assembly or of any Committee thereof but will in all things well and truly demean yourself according to the best of your knowledge So help you God

Ordered that M:^r Jonas Green Printer do Attend at the Bar of this House on the morrow morning and that the Serjeant at Arms Serve him with Notice

L. H. J.
Liber No. 52
May 13

The House Adjourns till 2 of the Clock

Post Meridiem.

The House met.

Ordered that the Gentlemen of the several Committees have leave to withdraw

The House Adjourns till the morrow morning at Nine of the Clock

Wednesday 14:th May 1766

May 14

The House met. According to Adjournment

Thomas Johnson Esq:^r and M:^r Baker App.^d in the House.

Thomas Johnson Esq:^r is added to the Committee to Inspect the State of the Publick Offices and Records &c.^a And the Committee to enquire what Laws will expire with this Session if not reEnacted.

M:^r Green having Attended at the bar of this House and being examined relative to his omitting to insert in the Printed Votes of the last Session the Accounts of the Clerks of the Council Sent down from the Upper House with a Message of the 9:th of Dec:^r 1765 Ordered that M:^r Green do Print with the Votes and Proceedings of this Session the said Accounts

J: Chamberlaine Esq:^r from the Upper House delivers to M:^r Speaker a Petition of of the Rector Vestrymen and Sundry of the Inhabitants of Somerset Parish in Somerset County. Indorsed By the Upper House of Assembly Read and Referred to the Consideration of the Lower House of Assembly

the Previous Question being determined the Question was put whether M:^r Green shall be Admonished or censured by the Speaker of this House for omitting to Print amongst the Proceedings of last Session the Accounts of the Clerks of the Council Sent down with a Message from the Upper House on the 9:th day of Dec:^r in the last Session of Assembly

Resolved that M:^r Green be Admonished by the Speaker

In Pursuance of the foregoing Resolution and Admonition being Prepared to be delivered by the Hon^{ble} Speaker to M:^r Green and after many debates Whether the said Admonition as drawn up should be received, the same was Referred for further consideration

p. 364

Ordered that T. Johnson Esq^r be added to the Committee Appointed to Consider and Report by by what Law or Custom the Lord Proprietary of this Province receives the fines and forfeitures

L. H. J. and Amercm^{ts} as also the 12:^d p hogsh:^d on all Tobaccos exported
 Liber No. 52 out of this Province &c:^a
 May 14

The House Adjourns till the morrow morning at 9 of the Clock

May 15

Thursday 15:th May 1766

The House met.

the Petitions of the Rector Vestrymen and Sundry of the Inhabitants of Somerset Parish in Somerset County was read and the Question was put Whether said Petitions be received by the House or not

Resolved in the Negative

For the Affirmative

Buchanan	J. Goldsborough	J: Hall A:	
Worthington	R: Goldsborough	Wright	
Johnson	Cockey Deye	Chaille	
Parran	J. Hall: Balt.	Harris	
W: Adams	Hyland	Allen	
J. Adams	Tyler	Selby	
Edmunson	Chase	F: Gantt.	21

For the Negative

Plater	Wilson	Beall	
Wolstenholme	Winder	Jacob	
Sothoron	Sulivane	Smallwood	
Ringgold	Lecompte	Tilghman	
Lloyd	Henry	J. Holliday	
H. Hall	Baker	Chapline	
Hammond	Ward	Smith.	
Hanson	Murdock		23

Daniel Dulany Esq:^r from the Upper House delivers to M:^r Speaker a Petition of the Subcribing Inhabitants of Frederick County &c:^a and a Petition of the Vestry and Church Wardens of Chester Parish in Kent County. severally Indorsed By the Upper House of Assembly referred to the Consideration of the Lower House.

the Petitions of the Inhabitants of Frederick County was read and Ordered to lye on the Table

Col.^o Hammond from the Upper House delivers to M:^r Speaker a Petition of Thomas Hicks Newton languishing Prisoner in Calvert County Goal, the Petitions of Henry Hinezman John Berry and John Davis Prisoners in ffrederick County Goal the Petition of Jonathan Hudson John Mears Philip Rains Rob:^t Nellson Thomas

Pearson Levin Larrimore William Truitt Elias Townsend Savory
Wing Charles Moor and Littleton Brumley Prisoners in Worcester
County Goal and the Petition of Lockyer Long Prisoner in Prince
Georges County Goal Indorsed by the Upper House of Assembly
referred to the Consideration of the Lower House

L. H. J.
Liber No. 52
May 15

J. Ridout Esq.^r from the Upper House Delivers to M.^r Speaker
the Petitions of John Vaine Ignatius Spalding and Stephen Tare
languishing Prisoners in Charles County Goal

p. 365

Indorsed By the Upper House referred to the Consideration of
the Lower House

M.^r Edward Gantt app.^d in the House

M.^r Baker hath leave of absence

The House Adjourns till two a Clock

Post Meridiem.

the House met

M.^r Grahame App.^d in the House

The Petition of Chester Parish &c.^a was read and Rejected

The Petitions of Thomas Hicks. Norton Henry Hinezman Little-
ton Brumley and John Berry were read the first time and Ordered
to lye on the Table

J. Hollyday Esq.^r and M.^r Wright have leave of Absence

M.^r Turbutt Wright One of the Clerks to the several Committees
Appointed by this House has leave of Absence

Tho.^s Ringgold Esq.^r brings in and delivers to M.^r Speaker a
Bill Entituled an Act for Licensing Hawkers and Pedlars

The House Adjourns till the morrow morning at 9 of the Clock

Friday 16.th May 1766

May 16

The House met. All present as Yesterday Except M.^r Baker and
J. Hollyday Esq.^r

On Motion Col.^o Lloyd Col.^o Tilghman and George Plater Esq.^r
have leave of Absence

The Bill Entituled an Act for Licensing Hawkers and Pedlars
was read the first time and Oredred to lye on the Table

On Motion of T. Johnson Esq.^r leave is given to bring in a
Bill to aid the Proceedings of several County Courts of this Prov-
ince and to revive Baltimore County Court

Ordered that T. Johnson J. Hall. S. Chase and T. Ringgold
Esq.^{rs} M.^r Allen and M.^r J. Hall of Baltimore do Prepare and bring
in a Bill for that Purpose

Ordered that M.^r Grahame be added to the Committee App.^d
to inspect the State and Condition of the Publick Offices and
Records &c.^a

L. H. J. Col.^o Hooper from the Upper House delivers to M.^r Speaker a
 Liber No. 52 Petition of John Jeremiah Myar of Frederick County James Agar
 May 16 and George Matthews Prisoners in Baltimore County Goal and
 the Petitions of Michael M.^cDorman Edward Bennett John Knowles
 Joseph Holder Peter Magee Neomie Kelsick and Priscilla Barkley
 languishing Prisoners in Somerset County Goal

Indorsed By the Upper House referred to the Consideration of
 the Lower House

p. 366 The House Adjourns till 2 a Clock

Post Meridien

The House met.

The several Petitions brought Yesterday from the Upper House
 by D: Dulany Esq.^r Col.^o Hammond and J. Ridout Esq.^r and by
 Col.^o Hooper this day were now read the first time and Ordered to
 lye on the Table

On Motion of M.^r J: Goldsborough Ordered that the Committee
 of Accounts do not receive any claims against the Publick after next
 Tuesday the 20.th Instant

Ordered that the Committee of Accounts do close the Journal of
 Accounts on Tuesday next the 20.th Instant

On Motion of M.^r Bealle leave is given to bring in an Additional
 Suppl. Bill to the Act Entituled an Act for Stay of Execution after
 the 10.th day of May Yearly

Ordered that M.^r Beall M.^r H: Hall M.^r Allen and Col.^o Henry
 do prepare and bring in a Bill Accordingly

The House Adjourns till the morrow morning at 9 of the Clock

May 17

Saturday 17.th May 1766

The House met.

All Members Appeared as Yesterday except Col.^o Lloyd Col.^o
 Tilghman George Plater Esq.^r and M.^r Wright

Col.^o Cresap Appeared in the House

M.^r H. Hall and Col.^o Henry have leave of Absence

M.^r Beall brings in and delivers to M.^r Speaker a Bill Entituled
 an Additional Supplementary Act to the Act Entituled an Act for
 Stay of Execution after the 10.th day of May Yearly which was
 read the first time and Ordered to lye on the Table

On Motion of M.^r Selby leave is given to bring in a Bill for
 the relief of insolvent Debtors

Ordered that M.^r Selby M.^r Jacob S. Chase S. Wilson and T:
 Johnson Esq.^{rs} do prepare and bring in a Bill accordingly

M.^r Allen brings in and delivers to M.^r Speaker a bill Entituled

an Act for Tryal of all Matters of fact in the several Countys where they have arisen or shall arise

L. H. J.
Liber No. 52
May 17

On Motion of M.^r Selby, Ordered that no new Business be moved in this House after next Tuesday the 20.th Instant

Tho.^s Ringgold Esq.^r brings in and delivers to M.^r Speaker a Bill Entituled an Act for regulating Innholders and Ordinary keepers within this Province, which was read the first time and Ordered to lye on the Table

On reading the Petition of John Jeremiah Myar the 2.^d time Ordered that T. Johnson Esq.^r M.^r F. Gantt Col.^o Cresap and S. Wilson Esq.^r be a Committee to enquire into the Allegations and facts contained in the said Petition and that they make Report thereof to the House p. 367

The House Adjourns till 2 of the Clock

Post Meridiem

The House met.

On Motion Ordered that S. Chase T. Johnson Esq.^{rs} M.^r J. Adams M.^r Harris M.^r Allen Col.^o Cresap and M.^r Selby be added to the Committee of Grievances and Courts of Justice

On reading the 2.^d time the Petitions of the Poor Prisoners confined in Ann Arundel County Goal the same is recommended by this House to the immediate Enquiry and Examination of the Committee of Grievances, Ordered that they make report to the House

On Motion J. Hammond Esq.^r hath leave of Absence

The House Adjourns till Monday Morning at 9 of the Clock

Monday 19.th May 1766

May 19

The House met.

All Present as on Saturday except J. Hammond Esq.^r William Murdock Esq.^r M.^r ff: Gantt and Col.^o Henry

The House Adjourns till 2 of the Clock

Post Meridem.

The House met.

On Motion M.^r Sulivane hath leave of Absence

M.^r J. Adams brings in and delivers to M.^r Speaker the following Report Viz.^t

By the Committee of Grievances and Courts of Justice

May the 17.th 1766

Your Committee in Pursuance of the Special Order of your Honble House to enquire into the facts set forth in the Petitions

L. H. J. of the Prisoners confined in Ann Arundel County Goal beg leave
 Liber No. 52 to Inform your Hon^{ble} House That they have Visited the said
 May 19 Goal and find that the same is kept so filthy and Nasty that it is
 excessively Nauseous In so much that Your Committee are Appre-
 hensive that the Prisoners are in Great danger from its offensive
 Stench

That your Committee could not make any Enquiry concerning
 the facts Set forth in the said Petition of the Sherriff himself he
 now being out of Town, But from the Information of the Goaler
 who Attended your Committee at the said Goal your Committee
 find that the Prisoners confined therein have not any Allowance
 of Victuals, but instead thereof, the Sherriff hath allowed and
 given to each Prisoner thirteen Coppers by the Week and Salt and
 Water for their whole Subsistance until last Monday when two
 Coppers more were given to each Prisoner for the present Weeks
 Subsistance

p. 368 That the Prisoners on Examination alledge that the Allowances
 for Subsistance hath not been given by Agreement and consent
 and that they have had but four Cords of Woods found them by the
 Sherriff ever since before Christmas but have been kept without
 Wood unless what they can beg from the Prison Windows ever
 since the Month of March nor have they any means to lay out
 their Allowance in Provisions but by entrusting it to Passers bye
 and therefore they are constrained to lay it out in Bakers Bread,
 the small quantity of which that can be Purchased for their Allow-
 ance they Assert and your Committee believe is not Sufficient of
 itself to Support Nature

Signed p Order Henry Wilkins Clk

On reading the said Report the first and Second time the House
 concurs therewith Ordered that the Serjeant at Arms do Summons
 Joseph Galloway Esq:^r high Sherriff of Ann Arundel County to
 Attend at the Bar of this House on Wednesday morning next to
 Answer the Complaint of several Poor Prisoners now Confined in
 Ann Arundel County Goal Reported by the Committee of Grievances
 and Courts of Justices to this House

R: Lee Esq:^r from the Upper House delivers to M.^r Speaker a
 Petition of Thomas Schley and John Jeremiah Myer a Petition
 of the Subscribers Merchants and others Inhabitants of the Town
 of Baltimore in Baltimore County a Petition of sundry the Parish-
 oners of Stephen Parish Part whereof is in Somerset County and
 Part in Worcester County A Petition of the Inhabitants of the
 Town of Baltimore in Baltimore County. Severally Indorsed (By
 the Upper House) referred to the consideration of the Lower
 House

Which Petitions were read here the first time and Ordered to lye
 on the Table

Col.^o Hooper from the Upper House delivers to M.^r Speaker a Petition of John Deal a languishing Prisoner in Prince Georges County Goal. Indorsed by the Upper House Referred to the Consideration of the Lower House.

L. H. J.
Liber No. 52
May 19

Which Petition was read here the first and Second time and Granted

The Bill Entituled an Act for Tryal of all matters of fact in the several Countys where they have arisen or shall arise was Read the first time and Ordered to lye on the Table

On reading a Second time the Petition of Thomas Schley and John Jeremiah Myer

Ordered that Tho.^s Johnson S. Wilson Esq.^{rs} and Col.^o Cresap be a Committee to enquire into the Allegations and facts contained in the said Petition and Report the same to the House

M.^r Harris brings in and delivers to M.^r Speaker a Bill Entituled an Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned, Which was read the first time And Ordered to lye on the Table

p. 369

On Motion the Question was put Whether the fees arising due on Prosecution of Slaves in the County Courts be Paid by the Publick, Or by the Particular Countys where the facts are Committed

Resolved that the fees be paid by the Particular Countys

On Motion of M.^r Grahame leave given to bring in a Bill to direct the manner of paying fees arising on the Prosecution of Slaves in the County Courts

Ordered that M.^r Grahame M.^r J. Goldsborough T. Johnson and J. Hall Esq.^{rs} do Prepare and bring in a Bill accordingly

The House Adjourns till the morrow morning at 9 of the Clock

Tuesday 20.th May 1766

May 20

The House met.

All Present as Yesterday Except M.^r Sullivane

Col.^o Tilghman M.^r Wright Col.^o Henry and M.^r ffilder Gantt Appeared in the House

M.^r Buchannan hath leave of Absence

A Letter from James Otis Esq.^r of the Massachusetts Bay directed to William Murdock Edward Tilghman and J. Ringgold Esq.^{rs} (Requesting them to make a Representation in a Just and favourable manner to have an Allowance made to the Clerk of the late Congress at New York by this Province) being Communicated to this House And the said Letter being Read the first and Second time Resolved that this House will not make any further Allowance

L. H. J. to the Clerk at the late Congress at New York than what hath been
 Liber No. 52 already made to him
 May 20

On Reading the Second time the Bill Entituled an Act for regulating Innholders and Ordinary keepers within this Province the Question was put Whether the Moneys arising for fines for Ordinary Licences and fines and forfeitures for breaches shall be Applied towards defraying the Charge of each respective County Or paid into the hands of the Treasurers to be applied as the General Assembly shall hereafter direct

Resolved that the Moneys be Applied towards defraying the Charge of each respective County

For the Application towards defraying the Charge of each
 respective County

Buchanan	J. Hall Balt	Chaille
H: Hall	Hyland	Harris
W: Adams	Ward	Allen
J. Adams	Jacob	Selby
Edmundson	Tyler	Cresap
J. Goldsborough	Tilghman	Smith.
Cockey Deye	Wright	

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p. 370 For the Moneys to be paid into the hands of the Treasurers to be
 Applied as the General Assembly shall hereafter direct

Wolstenholme	Wilson	Beall
Sothoron	Winder	Chase
Worthington	Henry	J. Hall
Johnson	Heath	ff. Gantt
E. Gantt	Hanson	Chapline.
Grahame	Smallwood	
Parran	Ware	

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the said Bill was Committed for Amendments

the Bill Entituled an Act for the relief of certain Languishing Prisoners in the several Goals therein mentioned. Was Read the 2.^d time and will Pass and was Sent to the Upper House by S. Chase Esq:^r and M:^r Selby

M:^r ffilder Gantt brings in an Delivers to M:^r Speaker the following Report

By the Committee Appointed to Examine into the facts Set forth in the Petition of John Jeremiah Myer and Report the same to the House

Your Committee in Pursuance of the Order of the House have Proceeded to Examine into the said facts and do humbly Report to the House as follows

It Appears to your Committee from the Oath of Thomas Schley that on the 14.th day of April Anno Domini Seventeen hundred and Sixty two a Contract was made between the said John Jeremiah Myer and Dan.^l Davis that the said Daniel Davis should Convey unto the said John Jeremiah Myer a fee Simple Estate of a Lot or Portion of Ground lying and being in the First Street in Frederick Town Joining on the West side to John Lingenfelder with all the Buildings and Profits Whatsoever on the said Lot containing Sixty feet for Breadth and three hundred and Ninty three feet in Length more or less, And that the said John Jeremiah Myer should pay to the said Daniel Davis the Sum of Six hundred and fifty Pounds Pensylvania Money for the same In Pursuance of which contract the said Daniel Gave his Bond to the said John Jeremiah Myer dated the day and Year aforesaid in the Penalty of thirteen hundred Pounds Current Money of Maryland for the Conveyance of the same which Bond Appearing to be duly executed was laid before your Committee

L. H. J.
Liber No. 52
May 20

It also Appears by the Oath of the said Schley that the Lot or Parcel of Ground as described in the said Bond Includes and was intended to Include part of the Lot N.^o 39 and part of the Lot N.^o 38 mentioned in the Petition it Appears further by the same Oath that the said Daniel Davis himself Settled the same due on his Mortgage to Daniel Dulany Esq.^r to four hundred and Seventy five Pounds in Gold and Silver according to the Forms of the Inspection Act which Sum the said John Jeremiah Myer Passed his Bond with Security to Daniel Dulany at the request and by the direction of the said Daniel Davis and was to be accounted a payment of so much of the Six hundred and fifty Pounds aforesaid

p. 371

It Appears further by the Oath of the said Schley that at the time of the Contract aforesaid that the said Daniel Davis was Indebted by Bond unto the said John Jeremiah Myer in the Sum of One hundred and fifty Pounds Maryland Money And that it was then Agreed between the Parties aforesaid that the same should be Accounted as part of the Sums to be given for the Lot or Parcel of Ground aforesaid which Bond Appearing also to be duly Executed was laid before your Committee

It Appears to your Committee that Daniel Davis died about the last of June last Intestate having three Daughters only of the Age Set forth in the Petition

All which is Humbly Submitted to the Consideration of the Honble House

Signed by Order Henry Wilkins Clk

Which was read the first and Second time and the House concurs therewith

the Petition of the said John Jeremiah Myer was read and leave given to the Petitioners to bring in a Bill conformable to the Report aforesaid

L. H. J. the Bill Entituled an Act for Licensing Hawkers and Pedlars was
 Liber No. 52 Read the second time and the Question was Put that the said
 May 20 Bill do Pass Resolved in the Affirmative

For the Affirmative

Wolstenholme	Smallwood	Beall
Sothoron	Ware	Jacob
Worthington	Wilson	Tilghman
H. Hall	J. Adams	Chaille
Johnson	Winder	Harris
E. Gantt	Cockeye Deye	Allen
Grahame	J. Hall, Balt	Selby
Parran	Heath	ff. Gantt
[Hanson]	Hyland	Chapline.

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[Green's printed Votes and Proceedings, May Session 1766, p. 95,
 includes Hanson]

For the Negative

Buchanan	R: Goldsborough	Wright
W: Adams	Henry	Smith.
Edmunson	Ward	
J: Goldsborough	Tyler	

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The House Adjourns till 2 of the Clock

Post Meridiem

the House met.

p. 372 Daniel Dulany Esq:^r from the Upper House delivers to M:^r Speaker the Petitions of Captain William Leman [M^cLenan, M^cLelan] and Cap:^t John Volgamot. Indorsed. By the Upper House/ Referred to the Consideration of the Lower House

the Bill Entituled an Act for Licensing Hawkers and Pedlars was sent to the Upper House by M.^r Grahame and M.^r Allen

On Motion of Col.^o Tilghman leave is given to bring in a Bill for the Support of an Agent for this Province in Great Britain

Ordered that Col.^o Tilghman M.^r Hanson and D: Wolstenholme Esq:^r do prepare and bring in a Bill Accordingly

On Motion of Col.^o Tilghman leave given to bring in a Bill for Issuing Writs of Replevin out of the County Courts. Ordered that Col.^o Tilghman M.^r Hanson and Daniel Wolstenholme do prepare and bring in a Bill accordingly

the Bill Entituled an Additional Supplementary Act to the Act Entituled an Act for the stay of Execution after the 10.th Day of May Yearly was Read the 2.^d time and the Question was put that the said Bill do pass, Resolved in the Negative

For the Affirmative

Worthington	Hanson	Tyler
H. Hall	Smallwood	Tilghman
E. Gantt	Ware	Wright.
Grahame	Bealle	
Parran	Jacob	

L. H. J.
Liber No. 52
May 20

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For the Negative

Wolstenholme	Edmunson	J: Hall. A:
Sothoron	J: Goldsborough	Chaille
Buchanan	R: Goldsborough	Harris
Johnson	Henry	Allen
Wilson	Cockey Deye	Cresap
W. Adams	Heath	ff. Gantt
J. Adams	Hyland	Chapline
Winder	Ward	Smith.

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M.^r Selby brings in and delivers to M.^r Speaker a Bill Entituled an Act for the relief of Insolvent Debtors. which was read the first time and Ordered to lye on the Table

the House Adjourns till the morrow morning at 9 of the Clock

Wednesday 21.st May 1766

May 21

The House met.

M.^r Tyler from the Committee Appointed to inspect the Publick Offices and Records &c.^a brings in and delivers to M.^r Speaker the following Report Viz:^t

By the Committee Appointed to Inspect into the State of the several Publick Offices. May 21.st 1766. Your Committee having Examined into the State of the several Publick Offices find by compareing many Original Wills in the Commissarys Office with the Records that the Greatest Part of those Records do not Appear ever to have been Examined and that there have been great Errors committed in Recording them amongst which we beg leave to take Notice of the following Viz:^t William Simcock his Will in Liber. B. T. N.^o 2. 1756 a Whole Paragraph omitted George Robinson his Will dated in 1696. in Lib.^r N.^o H: fol.^o 195 altogether disagrees in every bequest with the Original. Richard Collett his Will in Lib.^r N.^o 1 fol.^o 314, a transcribed Book which contains Wills from 1635 to 1674 and Appears to have been Examined by Sworn Examiners Yet a Whole Paragraph omitted this we find by comparing the Original with the Record and that there are but very few of the Original Wills Recorded in this Book to be found in the Office. Daniel Selby of Somerset County his Will we cannot find on

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L. H. J.
Liber No. 52
May 21

Record or in the Bundles of Original Papers, tho' a Copy thereof Attested by the Deputy Commissary with Letters Testamentary thereto Annexed has been produced to your Committee We also find two Bundles containing Wills and Inventories Exhibited in 1759 and 1760 not yet Recorded, And that the General Alphabet in that Office is much Worn and will not bear binding and has several leaves loose

That your Committee likewise find by comparing the Original Certificates in the Land Office with the Records many of them have never been Examined and that there have been great Errors committed in Recording them

Many Certificates before the Year 1740. are thrown into an old Chest in the Office where they lay in the Greatest confusion much torn and defaced and the Books which Contain those Certificates are not marked Examined. the general Alphabet of the Patents is much torn and defaced and only brought up to the Year 1757. And Also another Alphabet of Patents and Certificates in two Books brought up to the Year 1737 much torn and defaced

Your Committee have likewise Examined the State of the Secretaries Office and find that part of the Judgments in May Term 1755. the Whole of October Term in the same Year and a Small part of May Term 1756. and the Whole of September 1756 are not Recorded And that the Judgments before the Year 1757 do not Appear to us to be Examined and that there is no Alphabet to Lib.^r G. S. N.^o 1. which contains Judgments nor are there any Judgments of the Provincial Court entered since April Term 1761. a small part of which Terms Proceedings still remain to be entered

p. 374 Your Committee Observe that the Records in the Publick Offices for a Considerable time Past Appear to be made up generally by Persons who write incorrect and unsettled hands. And your Committee beg leave to Annex a List of the Books that are now in the said Offices. All Which is Submitted to the Consideration of your Honourable House

Signed p Order John Duckett Jun.^r Clk

A List of the Record Books belonging to the Land Office of Maryland with their Proper Numbers and Contents

Lib. ^{rs}	N. ^o	N. ^o
Lib. ^r	1.....	Containing Patents Certificates and Petitions.
Lib. ^r	2.....	D. ^o Patents.
Lib. ^r	3.....	D. ^o Patents Certificates Assembly and Court Proceedings.
Lib. ^r	A. B. & H.....	D. ^o Patents and Certificates a leaf loose.

Lib. ^{rs}	N. ^o	N. ^o	
Lib. ^r Q.....	D. ^o	Patents Certificates Warrants and Assignments for the Year 1658.	L. H. J. Liber No. 52 May 21
Lib. ^r	4...	D. ^o from 1658 to 1660.	
Lib. ^r	5...	D. ^o Patents and Certificates.	
Lib. ^r	6...	D. ^o Patents Certificates Warrants and Assignments.	
Lib. ^r	7...	D. ^o Patents Certificates and War- rants.	
Lib. ^r	8...	D. ^o Patents Certificates Warrants and Assignments.	
Lib. ^r	9...	D. ^o D. ^o D. ^o D. ^o D. ^o	
Lib. ^r	10...	D. ^o D. ^o	
Lib. ^r	11...	D. ^o D. ^o	
Lib. ^r	12...	D. ^o Patents and Certificates	
Lib. ^r	13...	D. ^o D. ^o	
Lib. ^r	14...	D. ^o D. ^o	
Lib. ^r	15...	D. ^o D. ^o	
Lib. ^r	16...	D. ^o D. ^o	
Lib. ^r	17...	D. ^o D. ^o	
Lib. ^r	18...	D. ^o D. ^o	
Lib. ^r	19...	D. ^o D. ^o	
Lib. ^r	20...	D. ^o D. ^o	
Lib. ^r	21...	D. ^o D. ^o	
Lib. ^r	22...	D. ^o D. ^o	
Lib. ^r	23...	D. ^o D. ^o	
Lib. ^r C. B.....	2....1...	D. ^o Patents from 1680 to 1682	
Lib. ^r C. B.....	3....2...	D. ^o Patents	
Lib. ^r J. B. C.....	3...	D. ^o D. ^o	
Lib. ^r S. D. A.....	4...	D. ^o D. ^o	
Lib. ^r N. S. B.....	5...	D. ^o D. ^o	
Lib. ^r N. S.....	2....6...	D. ^o D. ^o	
Lib. ^r W. D.....	7...	D. ^o D. ^o	
Lib. ^r B. B.....	3.....	D. ^o D. ^o and Certificates	
Lib. ^r C. C.....	4.....	D. ^o D. ^o	
Lib. ^r C. D.....	D. ^o	D. ^o	
Lib. ^r P. L.....	2....9...	D. ^o Patents	
Lib. ^r C.	3.....	D. ^o D. ^o & Certificates.	
Lib. ^r D. D.....	5.....	D. ^o Certificates and Assignm. ^{ts}	
Lib. ^r P. S.....	3....10...	Containing Patents	
Lib. ^r R. Y.....	1....11...	D. ^o D. ^o	
Lib. ^r E. E.....	6.....	D. ^o D. ^o and Certificates	
Lib. ^r F. F.....	7.....	D. ^o D. ^o	
Lib. ^r J. L. A.....	18...	D. ^o Certificates and Assignm. ^{ts}	
Lib. ^r P. L.....	4....12...	Patents.	

	Lib. ^{rs}	N. ^o	N. ^o	
L. H. J.	Lib. ^r C. E.	1	13	D. ^o
Liber No. 52	Lib. ^r P. L.	5	14	D. ^o
May 21	Lib. ^r P. L.	6	15	D. ^o
	Lib. ^r P. L.	7	16	D. ^o
p. 375	Lib. ^r P. L.	8	17	D. ^o
	Lib. ^r E. J.	1	21	D. ^o
	Lib. ^r E. J.	2	22	D. ^o
	Lib. ^r E. J.	3	23	D. ^o Certificates and Assignm. ^{ts}
	Lib. ^r E. J.	4	24	D. ^o Patents.
	Lib. ^r E. J.	5	25	D. ^o Certificates.
	Lib. ^r E. J.	6	26	D. ^o Patents.
	Lib. ^r L. G. C.	27	D. ^o	Patents Certificates and Assign- ments.
	Lib. ^r L. G. B.	29	D. ^o	Patents.
	Lib. ^r P. T.	1	30	D. ^o D. ^o
	Lib. ^r P. T.	2	31	D. ^o D. ^o
	Lib. ^r B. T. & B. G.	3	32	D. ^o D. ^o
	Lib. ^r T. J.	1	33	D. ^o and Certificates
	Lib. ^r T. J.	2	D. ^o	Warrants and Assignments
	Lib. ^r T. J.	3	34	D. ^o Patents and Certificates
	Lib. ^r T. J.	4	35	D. ^o D. ^o
	Lib. ^r B. G. & G. S.	2	37	D. ^o D. ^o
	Lib. ^r B. G. & G. S.	3	38	D. ^o Patents
	Lib. ^r B. G. & G. S.	4	39	D. ^o D. ^o
	Lib. ^r G. & S.	6	42	D. ^o D. ^o
	Lib. ^r G. & S.	8	41	D. ^o D. ^o
	Lib. ^r G. & S.	2	45	D. ^o D. ^o
	Lib. ^r B. G. & G. S.	1	36	D. ^o Certificates and Assignm. ^{ts}
	Lib. ^r B. G. & G. S.	5	40	D. ^o D. ^o
	Lib. ^r J. L. B.	19	D. ^o	D. ^o
	Lib. ^r A. M.	1	20	D. ^o D. ^o
	Lib. ^r B. B.	D. ^o		Warrants and Assignments.
	Lib. ^r C. C.	D. ^o		D. ^o
	Lib. ^r D. S. F.	8	D. ^o	D. ^o
	Lib. ^r L. G. E.	28	D. ^o	Certificates and Assignments.
	Lib. ^r P. T.	3	D. ^o	Warrants and Assignments.
	Lib. ^r W. C.	2	D. ^o	D. ^o
	Lib. ^r W. C.	4	D. ^o	D. ^o
	Lib. ^r A.			Containing Warrants and Assign- ments.
	Lib. ^r A. A.	D. ^o	D. ^o	
	Lib. ^r Y. S.	7	43	D. ^o Certificates
	Lib. ^r G. S.	1	44	D. ^o D. ^o
	Lib. ^r B. C. & G. S.	1	46	D. ^o and Assignments.
	Lib. ^r B. C. & G. S.	2	47	D. ^o Patents.
	Lib. ^r B. C. & G. S.	3	48	D. ^o D. ^o

Lib. ^{rs}	N. ^o	N. ^o	
Lib. ^r B. C. & G. S..4...	49...	D. ^o	Certificates.
Lib. ^r B. C. & G. S..5...	50...	D. ^o	D. ^o and Assignments
Lib. ^r B. C. & G. S..6...	51...	D. ^o	Patents.
Lib. ^r B. C. & G. S..7...	52...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..8...	53...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..9...	54...	D. ^o	Certificates
Lib. ^r T. J.....5.....		D. ^o	Warrants and Assignments
Lib. ^r T. J.....6.....		D. ^o	Warrants
Lib. ^r T. J.....7.....		D. ^o	D. ^o
Lib. ^r T. J.....8.....		D. ^o	D. ^o
Lib. ^r T. J.....9.....		D. ^o	D. ^o
Lib. ^r T. J.....10.....		D. ^o	D. ^o
Lib. ^r T. J.....11.....		D. ^o	D. ^o
Lib. ^r C. C.....		D. ^o	Warrants and Assignments.
Lib. ^r E. E.....		D. ^o	D. ^o
Lib. ^r F. F.....		D. ^o	D. ^o
Lib. ^r L. G. A.....		D. ^o	Warrants.
Lib. ^r L. G. D.....		D. ^o	D. ^o and Assignments.
Lib. ^r C. C. & G. S..10...	55...	D. ^o	Patents.
Lib. ^r B. C. & G. S..11...	56...	D. ^o	Certificates and Assignments.
Lib. ^r B. C. & G. S..12...	57...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..13...	58...	D. ^o	Patents.
Lib. ^r B. C. & G. S..14...	59...	D. ^o	Certificates and Assignments.
Lib. ^r B. C. & G. S..15...	60...	D. ^o	Patents.
Lib. ^r B. C. & G. S..16...	61...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..17...	62...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..18...	63...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..19...	64...	D. ^o	Certificates and Assignments.
Lib. ^r B. C. & G. S..20...	65...	D. ^o	Patents.
Lib. ^r B. C. & G. S..21...	66...	D. ^o	Certificates and Assignments.
Lib. ^r B. C. & G. S..22...	67...	D. ^o	Patents.
Lib. ^r B. C. & G. S..23...	68...	D. ^o	D. ^o now in use.
Lib. ^r B. C. & G. S..24...	69...	D. ^o	Certificates now in use.
Lib. ^r T. J.....12...	70...		Containing Warrants.
Lib. ^r W. S.....1...	71...	D. ^o	D. ^o and Assignments.
Lib. ^r W. S.....2...	72...	D. ^o	D. ^o
Lib. ^r W. S.....3...	73...	D. ^o	D. ^o
Lib. ^r W. S.....4...	74...	D. ^o	D. ^o
Lib. ^r W. S.....5...	75...	D. ^o	D. ^o
Lib. ^r W. S.....6...	76...	D. ^o	D. ^o
Lib. ^r W. S.....7...	78...	D. ^o	D. ^o
Lib. ^r W. S.....8...	79...	D. ^o	D. ^o
Lib. ^r B. C. & G. S..25...		D. ^o	Patents.
Lib. ^r B. C. & G. S..26...		D. ^o	D. ^o
Lib. ^r B. C. & G. S..27...		D. ^o	Certificates
Lib. ^r B. G. & C. S..28...		D. ^o	Patents.

L. H. J.
Liber No. 52
May 21

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L. H. J. A List of Record Books in the Provincial Office taken the 16:th
 Liber No. 52 Day of May Anno Domini 1766 Viz:^t
 May 21

Record Books of Laws

Lib. ^s	N. ^o
Libri WHL	From 1640 to 1692 Transcribed.
C.&W.H.	From 1640 to 1678 some leaves loose and Cover Worn.
W.H	From 1676 to 1688.
LL	in 1692
LL	From 1692 to 1710
L	4... From 1711 to 1723
L	5... From 1724 to 1731.
B.LC	From 1731 to 1752.
HS.	1... From 1752 now in use and not wrote out

Land Records

S.	From 1658 to 1662
BB	From 1662 to 1665
FF	From 1665 to 1669
HH	From 1669 to 1672
MM	From 1672 to 1675
WRG	From 1676 to 1695
TL	2... From 1699 to 1707
PL	3... From 1707 to 1710
TP	From 1709 to 1719
PL	5... From 1719 to 1723
PL	6... From 1724 to 1731
PL	8... From 1731 to 1737
EI	3... From 1737 to 1744
EI	8... From 1744 to 1749
EI	12... From 1749 to 1756.
BT	N. ^o 1... From 1756 to 1759.
BT.	4... From 1759 to 1762.
DD	2... From 1762 to 1763.
DD.	3... From 1763 to 1765.
DD	4... From 1765. to now in use

Records of Judgments

L. H. J.
Liber No. 52
May 21

Lib.^s

N.^o

N.N.	.....	From 1675 to 1679.
WC	.....	1679 to 1684
DS.A	.....	1684 to 1686
RT	.....	} these two are all we can find from 1686 to 1692 they only mention 1688 and 1689
SSS	.....	
DS	.....	
TL	1...	From 1692 to 1693
TL	2...	From 1694 to 1696
TL	2...	in 1696
HW	3...	in 1697

Judgment Books

HL	.....	in 1698
GG	1...	in 1698
WT	3...	From 1699 to 1701.
WT	3...	in 1701
WT	4...	in 1702
TG	.....	in 1702 and Provincial Proceedings in 1682
TL	3...	From 1703 to 1705
TB	.....	From 1705 to 1706
D. ^o	2...	in 1706
PL	.....	From 1706 to 1707
D. ^o	2...	From 1707 to 1709
D. ^o	3...	From 1709 to 1710
TP.	2...	1711 to 1712
IO	.....	1712 to 1713
VD.	1...	1713 to 1716
D. ^o	2...	1716 to 1717
D. ^o	3...	1717 to 1718
PL.	4...	1718 to 1719
WG.	1...	1719 to 1722
PL	7...	1722 to 1724
WG	2...	1724 to 1726
RB	1...	1727. to 1728. and May Term 1731
D. ^o	2...	1729 to 1730
D. ^o	3...	part 1731 to 1732
WG.	3...	From 1732 to 1733
Ef.	1...	in 1734 to 1735
D. ^o	2...	From October 1735 to 1737
D. ^o	4...	Part 1737 to 1738
D. ^o	5...	Part 1738 to 1739
D. ^o	6...	Part 1739 to 1741
	7...	From 1742 to 1744

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L. H. J. A List of Record Books now being in and belonging to the Com-
 Liber No. 52 missarys Office.
 May 21

Titles	Dates	Contents	Present Condition
N.º 2	P. C. 1657.....	Testry Proceed. ^{gs}	
3	{ 1658 & 9.....	Wills Inventories	
4	{ 1660. 1 & 2.....	and Accounts	
5	{ 1662 & 3.....	Wills Transcribed	
6	{ 1664 & 5.....	all Bound in	
7	{ 1665 & 6.....	One Book	
8	1666. 7 & 8.....	The same	
9	HH 1688 & 9.....	D.º	
	N.º 5 1670 to 73.....	D.º	
10	S.S 1670 to 74.....	} Testry Proceed. ^{gs}	
12	 1674 to 78.....		
13	1675	D.º and Wills transcribed	
14	1676	Testry Proceedings	}
15	1677	Dº Inventorys & Acc. ^{ts}	
		1733 & 4	
16	1678	Testry Proceedings	
17	1679	D.º	
18	1680	} Ditto	
20	1682		
21	1682 to 87.....	D.º	
22	1687 to 89.....	} D.º	
	£ 1692		
P.C. N.º C	1673 to 75.....	Wills Inventorys Accounts & Wills Transcribed	
N.º 23	{ 1692 to 94.....	} Testry. Proceed. ^{gs}	
K.C.			
24	K.C 1695 to 97.....	D.º	
25	K.C 1697 to 99.....	D.º	
26	... 1699 to 1701.....	D.º	
10	W. 1701 to 1707.....	D.º	
B.	D.º 1703.....	D.º	
N.º 5	{ 1708 to 11.....	} D.º	
J.C.			
8	W.B. 1711 to 15.....	D.º	
9	WB. 1715 to 19.....	D.º	
1	T.B 1719 to 21.....	D.º	
9	TB. 1721.....	D.º	
4	AD 1722 & 3.....	D.º	
5	GP. 1724 to 27.....	D.º	
6	GP. 1727 to 30.....	D.º	
7	JP. 1730 to 34.....	D.º	
8	JG. 1734 to 38.....	D.º	

Titles	Dates	Contents	Present Condition
N.° 1	W.R 1739 to 46.....	Testry Proceedings	L. H. J.
2	WR. 1746 to 49.....	D.°	Liber No. 52
1	R.D. 1749 to 50.....	D.°	May 21
2	R.D. 1750 to 51.....	D.°	
3	R.D. 1751 to 52.....	D.°	
1	MM. 1752 to 53.....	D.°	
2	M.M 1753 to 58.....	D.°	p. 378
3	M.M 1758 to 60.....	D.°	
1	J.D 1761.....	D.°	
N.° 1	1635 to 74.....	D.°	
2	1674 to 1704.....	} containing the remainder part of the Wills transcribed Wills Inventorys Accounts 1703 and 4	
N.° 8	1676 & 7.....		
N.°			
A }	1670	All Sorts of Testry.	
B }	1678	proceed. ^{es} and wills transcribed into N.° 1 Wills	
C	1679	Wills	
20.	D. 1680	} 4 small Books of Wills transcribed in N.° 2	
	E 1681		
	F 1682		
IKC	1693 & 4.....		
G	1682. 8	Wills	
	1688 & 9.....	} Wills	
	1698 & 9.....		
N.° H	1692 93 & 1700....		
K.	1695 to 98.....	Wills	
TB.	1701. 2 & 3.....	D.°	
TB.	.....	same Book transcribed	
TB N.° 2.	1704 to 6.....	Wills Inventorys Acc. ^{ts}	
J.C	1706. 7. 8 & 9.....	} Wills two Books.	
WB N.° 2.	1709.....		
WB N.° 5.	1710 to 14.....	Wills	
WB N.° 6	1714 to 18.....	D.°	
T.B N.° 1	1718 to 19.....	D.°	
T.B N.° 5	1720 to 21.....	D.°	
A & D N.° 2	1721 to 22.....	D.°	
WB. N.° 1.	1723 to 26.....	D.°	
C.C N.° 2	1726 to 30.....	D.°	
CC N.°	1730 to 34.....	D.°	
T & D.	1734 to 38.....	D.°	
DD. N.° 1.	1738 to 42.....	D.°	

	Titles	Dates	Contents	Present Condition
L. H. J. Liber No. 52 May 21	DD 2.	1742 to 44.....	D. ^o	
	DD. 3.	1744 to 46.....	D. ^o	
	DD. 4	1746 to 48.....	D. ^o	
	DD. 5.	1748.....	D. ^o	
	DD. 6	1749 to 51.....	D. ^o	
	DD. 7	1751 to 54.....	D. ^o this Book and D.D 5 in one Book }	
	B.T N. ^o 1.	1754 to 56.....	D. ^o	
	B.T. N. ^o 2.	1756. 57.....	} D. ^o	
		58. 59 and 60.....		
	DD N. ^o 1.	1760.....	D. ^o	
	Meim̄dum D.D N. ^o 5 & 7.	....	bound in One Book. a General Alphabet for the books of Wills	
	N. ^o I	1674. 5 & 1703.....	Inventory and Accounts	
	II	1676	D. ^o	
	III	1676 & 77.....	D. ^o	
	IV	1677	D. ^o	
	V	1678	D. ^o	
	VI	1679	D. ^o	
	VII	1680	} three Books bound together	
	VIII	1681		
	IX	1682		
	X	1682 to 86.....		
	XI	1686 to 88.....		
	XII	1688 to 89.....	} Ditto	
	£	1692		
	HB N ^o C	1690. 1. 2. 1700....	Inventorys Accounts and all Sorts of Testry Proceedings	
	K.C N. ^o 13.	1693 & 4.....	Inventorys and Accounts	
	KC N. ^o 14.	1694 & 5.....	} two books bound together	
	KC 15.	1695 & 6.....		
	N. ^o 16.	1696 & 97.....	D. ^o	
	N. ^o 17.	1697.....	Inventorys & Accounts	
	K.C. 18.	1698.....	D. ^o	
	N. ^o 19.	1698	D. ^o	
	N. ^o 20.	1698	D. ^o	
		21 1699	D. ^o	
		57 1699 & 1700.....	D. ^o two Books bound together	
	W.T.	1700 & 1701.....	Inventorys & Accounts	
	T.	1701 & 1702.....	D. ^o	
	W.T.	1702 & 1703.....	D. ^o	
	WT. N. ^o 1.	1703.....	D. ^o	
	WT N. ^o 2.	1703 & 1704.....	D. ^o	

Titles	Dates	Contents	Present Condition
B.C. N.º 3	1705 & 1706.....	D.º	L. H. J. Liber No. 52 May 21
JC N.º 2	1706.....	Inventorys & Accounts	
J.C. 3	1707.....	D.º	
J.C. 4	1708.....	D.º	
W.B N.º 1	1708 & 9.....	D.º	
W.B. N.º 3	1709 & 10.....	D.º	
WB 4	1709 & 10.....	D.º	
W.B. 6	} 1710 & 11.....	D.º three Books bound together	
W.B 7 & 8			
WB. 9			
WB 10	} 1711 & 12.....	D.º in two D.º	p. 379
WB 11			
WB 12.	1713.....	D.º Contents	
WB 13	} 1713 & 14.....	D.º in two Books bound together.	
WB 14			
WB 15	} 1714 & 15.....	D.º in 3 D.º	
WB 16			
WB 17			
WB 19	} 1716 & 17.....	D.º in two D.º	
WB 20			
WB 18	} 1716 & 17.....	D.º in 3 D.º	
WB 21			
WB 22			
WB 23	} 1716 & 17.....	D.º in 3 D.º	
WB 24			
WB 25			
TB N.º 1.	1718.....	Inventorys	
TB 3	1719.....	D.º	
TB 4	1719 & 20.....	D.º	
TB 7.	1720.....	D.º	
TB 8.	1721.....	D.º	
WH N.º 1.	1721.....	D.º	
AD 3	1722.....	D.º	
WB 3	1723.....	D.º	
BH. AD 4.	1723 & 4.....	D.º	
BH A D5	1724.....	D.º	
BH. A6.	1725. 6 & 7.....	D.º	
CC 7.	1727.....	D.º	
EHC N.º 8	1728 & 9.....	D.º	
EHC. 9.	1729.....	D.º	
EHC. 10.	1729 & 30.....	D.º	
CC 11.	1730 to 32.....	D.º	
CC 12.	1732 to 34.....	D.º	
T & D 1.	1734.....	D.º	
T & D 2.	1734.....	D.º	

	Titles	Dates	Contents	Present Condition
L. H. J. Liber No. 52 May 21	DD. 1.	1734 & 5.....	D.°	
	DD 2.	1735 & 6.....	D.°	
	DD 3.	1736 & 7.....	D.°	
	DD. 4	1737 & 8.....	D.°	
	DD 5.	1739.....	D.°	
	DD 6.	1740 & 41.....	D.°	
	DD 7.	1741 & 42.....	D.°	
	DD 8.	1742 & 43.....	D.°	
	DD 9	1743 & 44.....	D.°	
	DD N.° 10.	1744.....	Inventorys	
	DD 11.	1744 & 45.....	D.°	
	DD 12.	1745.....	D.°	
	DD. 13	1745 & 46.....	D.°	
	DD 14	1746.....	D.°	
	DD 15	1746 & 47.....	D.°	
	DD 16.	1747 & 48.....	D.°	
	DD 17	1748.....	D.°	
	DD 18	1748 & 49.....	D.°	
	DD 19	1749.....	D.°	
	DD 20.	1749.....	D.°	
	DD 21.	1749.....	D.°	
	DD 22.	1749 & 50.....	D.°	
	DD 23	1750.....	D.°	
	DD 24.	1750.....	D.°	
	DD. 25.	1750.....	D.°	
	DD 26.	1751.....	D.°	
	DD 27	1751.....	D.°	
	DD. 28.	1751.....	D.°	
	DD 29.	1751 & 52.....	D.°	
	DD 30.	1752.....	D.°	
	DD 31.	1752.....	D.°	
	DD 32.	1752.....	D.°	
	DD 33	1752 & 53.....	D.°	
	DD 34.	1752 & 3.....	D.°	
	DD 35	1753.....	D.°	
	DD 36.	1753.....	D.°	
	DD 37.	1753.....	D.°	
	BT N 1.	1754.....	D.°	
	BT. 2.	1754 & 5.....	D.°	
	BT & DD. 1.	1755.....	D.°	
	BT & DD 2.	1756.....	D.°	
	BT N.° 1.	1756.....	D.°	
	BT. 2.	1757.....	D.°	
	BT. 3.	1757.....	D.°	
	BT. 4.	1758.....	D.°	

Titles	Dates	Contents	Present Condition
BT. 5	1758 & 9.....	D. ^o	L. H. J. Liber No. 52 May 21
DD 1.	1759.....	D. ^o	
DD 2.	1759.....	D. ^o	
DD. 3	1759.....	D. ^o	
DD. 4	1759 & 60.....	D. ^o	
DD. A.	1761.....	D. ^o	
DD. B.	1761 & part.....	} D. ^o of 60	
DD. C.	1761.....		
DD. D.	1761.....	D. ^o	
TR 1	1761.....	D. ^o	
TR 2.	1761.....	D. ^o	
TR. 3.	1761.....	D. ^o	
TB. 2.	1718.....	Accounts	
TB. 4	1719.....	D. ^o	
TB. C.	1720 & 21.....	D. ^o	
AD. N. ^o 1.	1721. 2. & 3.....	Accounts.	
WB. 2.	1723 & 4.....	D. ^o	p. 380
BH AD 3.	1724 & 5.....	D. ^o	
BH. A 4.	1725. 6.....	D. ^o	
BH. A 5.	1726 & 7.....	D. ^o	
EHC N. ^o 6.	1728 & 9.....	D. ^o	
EHC N. ^o 7	1729. 30. & 31....	D. ^o	
CC. N. ^o 8.	1731. to 33.....	D. ^o	
CC N. ^o 9.	1733 to 34.....	D. ^o	
DD N. ^o 1.	1735.....	D. ^o	
DD. 2.	1735 to 37.....	D. ^o	
D.D. 3.	1736 to 37.....	D. ^o	
DD. 4.	1737. to 38.....	D. ^o	
DD. 5.	1739.....	D. ^o	
DD. 6.	1740 to 42.....	D. ^o	
D.D. 7.	1742 to 43.....	D. ^o	
DD. 8.	1743 to 44.....	D. ^o	
DD. 9.	1744 to 45.....	D. ^o	
DD. 10.	1745 to 46.....	D. ^o	
DD. 11.	1746 to 47.....	D. ^o	
DD. 12.	1747. to 48.....	D. ^o	
DD. 13.	1748.....	D. ^o	
DD. 14.	1748 & 49.....	D. ^o	
DD. 15.	1749 & 50.....	D. ^o	
DD. 16.	1750.....	D. ^o	
DD. 17.	1750.....	D. ^o	
DD. 18.	1751.....	D. ^o	
DD. 19	1751.....	D. ^o	
DD. 20.	1751 & 2.....	D. ^o	

	Titles	Dates	Contents	Present Condition
L. H. J. Liber No. 52 May 21	DD. 21.	1752.....	D.°	
	D.D. 22.	1753.....	D.°	
	DD 23.	1753.....	D.°	
	BT. N.° 1.	1754.....	D.°	
	BT & DD. 1.	1755.....	D.°	
	BT & DD. 2.	1755.....	D.°	
	BT. 2.	1756.....	D.°	
	BT. 3.	1756.....	D.°	
	BT. 4.	1757.....	D.°	
	BT. 5.	1758.....	D.°	
	DD N.° 1.	1759.....	D.°	
	DD. 2.	1759 & 60.....	D.°	
	DD. A	1761.....	D.°	
	JR. N.° 1.	1762.....	D.°	
	SB N.° 1.	1764.....	begun 6. th May } Wills	
	SB. 1.	1762.....	Inventorys	
	SB. 2.	1762.....	D.°	
	SB. 3.	1763.....	D.°	
	SB. 4.	1763.....	D.°	
	SB. 5	1763.....	D.°	
	SB. 6.	1764.....	D.°	
	SB. 7.	1764.....	Inventorys	
	SB. 8.	1764.....	D.°	
	SB N.° 1 & 2.	1762.....	Accounts.	
	SB. 3.	1763.....	D.°	
	SB. 4.	1764.....	D.°	
	SB. 5.	1764.....	D.°	
	JD. N.° 2	1762 & 3.....	D.°	
	GM. N.° 1.	1764.....	D.°	
	SB. N.° 9.	1764.....	Inventorys.	
	CG. 1.	1765 }		
	CG. 2.	1765 }	D.°	
	CG. 3.	1765 }		
	CG. 1 }	1765		
	CG. 2 }	1765	Accounts.	
	CG. 3 }	1765		
	CG N.° 1.	1765.....	Wills.	
	EV. N.° 1.	1765.....	Testry Proceedings	

p. 381 Which Report aforesaid and the List Annexed were Read the first time and Ordered to lye on the Table

On Motion of Col.° Tilghman Ordered that the Noble generous and Spirited Conduct of the ffrriends of Liberty in Great Britain

in Support of the Interests of America be taken into Consideration to morrow morning at the Meeting of the House

L. H. J.
Liber No. 52
May 21

the Summons which Issued for Joseph Galloway Esq.^r Sherriff to Attend at the Bar of this House this day was returned by the Serjeant without Service thereof made

Ordered that another Summons be Issued directing said Joseph Galloway to Attend forthwith at the Bar of this House which Summons was made out Accordingly

S. Chamberlayne Esq.^r from the Upper House delivers to M.^r Speaker the Petition of William Morgan Prisoner in Calvert County Goal the Petition of George Bell Prisoner in Baltimore County Goal the Petitions of Nathan Joyce and Shepherd Grimes Prisoners in Ann Arundel County Goal Indorsed by the Upper House referred to the Consideration of the Lower House which Petitions were Read the first time and Ordered to lye on the Table

B. Calvert Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act for the relief of certain Languishing Prisoners in the several Goals therein mentioned. Indorsed By the Upper House of Assembly May 20.th 1766. Read the first time and Ordered to lye on the Table (and thus) By the Upper House of Assembly May 21.st 1766. Read the Second time and will Pass with the following Prisoners Names being inserted in their respective Countys Viz.^t Henry Heinzman John Berry and John Davis of Frederick County Thomas Hicks Newton Richard Freeman and William Morgan of Calvert County Nathan Joyce and Shepherd Grimes of Ann Arundel County and George Bell of Prince Georges County

Signed by Order U: Scott Clk Up: ho:

J. Ridout Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act for Licensing Hawkers and Pedlars, Indorsed By the Upper House of Assembly 20.th May 1766, Read the first time and Ordered to lye on the Table (and thus) By the Upper House of Assembly May 21.st 1766 Read the Second time and will Pass with the following Amendments Viz.^t after the Words "Sum of" in the 11.th Line of the first page and Second line of the Second Page insert the Word five instead of the word "ten" after the Word "Shore" in the 11.th Line of the third Page insert the following Words Viz.^t such Treasurer to have and retain a Commission of five Pounds p Centum and no more on the Mony's to be paid him in Virtue of this Act in the 14.th and 15.th Lines of the third Page leave out the Words "to the use of the County Schools in this Province," and insert in their Places the following Words Viz.^t as the General Assembly of this Province for the time being shall direct and Appoint

p. 382

Signed by Order U: Scott Clk Up: ho:

L. H. J. M.^r J. Goldsborough brings in and delivers to M.^r Speaker the
 Liber No. 52 following Report Viz:^t By the Committee Appointed by the Hoⁿble
 May 21 the Lower House of Assembly to enquire and report what Laws
 will expire this Session. Your Committee in Pursuance of the
 Order and direction of the Hoⁿble House have enquired and do
 find that the following Law will expire at the end of this Session
 unless continued

An Act Entituled an Act to Prevent disabled and Superannuated
 Slaves being set free on the Manumission of Slaves by any last
 Will or Testament. All which is humbly Submitted to the Con-
 sideration of the Hoⁿble House

Signed p Order Henry Wilkins Clk

Which was Read the first and Second time and the House con-
 curs therewith

On Motion Ordered that leave be given to bring in a Bill to con-
 tinue the Act Entituled an Act to Prevent disabled and Super-
 annuated Slaves from being Manumitted &c And that the Committee
 Appointed to revise what Laws will expire this Session if not re-
 vived do Prepare and bring in a Bill accordingly

the Bill Entituled an Act for regulating Innholders and Ordinary
 keepers within this Province was Read the 2.^d time and will Pass

M.^r J. Goldsborough brings in and delivers to M.^r Speaker a Bill
 Entituled an Act continuing an Act Entitled an Act to Prevent dis-
 abled and Superannuated Slaves being set free on the Manumission
 of Slaves by any last Will or Testament which was Read the first
 and Second time by especial Order and Will Pass

p. 383 M.^r ffilder Gantt brings in and delivers to M.^r Speaker a Bill
 Entituled an Act to vest the Title of and in a certain Lot or Parcel
 of Land in John Jeremiah Myer which was Read the first and
 Second time by especial Order and Will Pass

The House Adjourns till 2. of the Clock

Post Meridiem.

the House met.

the Bill Entituled an Act continuing an Act Entituled an Act
 to Prevent disabled and Superannuated Slaves from being Manu-
 mitted &c Was Sent to the Upper House by M.^r J. Goldsborough
 and M.^r Selby

Richard Lee Esq:^r from the Upper House delivers to M.^r Speaker
 the Representation of the Vestrymen and ffreeholders of William
 and Mary Parish in Charles County

Indorsed by the Upper House Referred to the Consideration of
 the Lower House

the Bill Entituled an Act to vest the Title of and in a certain Lot

or Parcel of Land in John Jeremiah Myer was Sent to the Upper House by S. Wilson Esq:^r and M:^r Selby.

L. H. J.
Liber No. 52
May 21

B. Calvert Esq:^r from the Upper House delivers to M:^r Speaker the Bill Entituled an Act containing an Act Entituled an Act to Prevent disabled and Superannuated Slaves from being Manumitted &c and the Bill Entituled an Act to vest the Title of and in a certain Lot or Parcel of ground in John Jeremiah Myar. Severally Indorsed By the Upper House of Assembly 21:st May 1766 Read the first and Second time by especial Order and will Pass

Signed by Order U: Scott Clk Up: ho:

Which Bills were severally read here and Passed for Ingrossing

In Pursuance of the Summons of this House Served by the Serjeant on Joseph Galloway Esq:^r Sherriff of Ann Arundel County Ordering him to Attend forthwith at the Bar of this House he Attended Accordingly and after the Petition of the Prisoners in Ann Arundel County Goal and the Report from the Committee of Grievances and Courts of Justice made thereon being read and Examination of Witnesses relative to the Allegations and facts contained in the said Petition and on hearing said Joseph Galloway in his own defence

The House Resolved that the said Joseph Galloway hath not complied with his Duty as Sherriff and that he be Acquainted therewith by the Speaker with a Caution to be more careful in Discharge of his Duty in relation to the Prisoners and Public Goal for the future and that he be Discharged from further Attendance on Payment of such fees as have arisen due to the Officers of this House and the said J. Galloway Attending at the Bar of this House M:^r Speaker Acquainted him accordingly

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The House Adjourns till the morrow morning at 8 of the Clock

Thursday 22.^d May 1766

May 22

The House met.

All Present as Yesterday except T. Ringgold Esq:^r and M:^r Buchanan

J. Hammond Esq:^r Appeared in the House

On Motion M:^r Sothoron hath leave of Absence

the Order of the day being Read the House referred the matter Proposed to be taken into consideration this morning until the morrow morning

On Motion the Question was Put That the Bill Entituled an Act for regulating Innholders and Ordinary keepers within this Province be withdrawn and all the Entrys and Proceedings thereon be Expunged. Resolved in the Negative

L. H. J.
Liber No. 52
May 22

For the Affirmative

Wolstenholme	R : Goldsborough	Harris
Johnson	Henry	Allen
Grahame	Heath	Selby
Parran	Bealle	Chapline
Hanson	Chase	ff. Gantt.
Wilson	Hall Annapolis	
Winder	Chaille	

19

For the Negative

H. Hall	J. Adams	Jacob
Worthington	Edmunson	Tyler
Hammond	J. Goldsborough	Tilghman
E. Gantt	Cockey Deye	Wright
Smallwood	J. Hall, Balt	Cresap
Ware	Hyland	Smith.
W : Adams	Ward	

20

the Bill Entituled an Act for regulating Innholders and Ordinary keepers within this Province was Sent to the Upper House by Col.^o Tilghman and J. Hammond Esq. :^r

On Reading the Bill Entituled an Act for the relief of certain languishing Prisoners in the several Goals therein mentioned with the Amendments Proposed thereto by the Upper House on consideration thereof this House doth Agree to insert in the Said Bill the Names of Thomas Hicks Newton Richard Freeman and William Morgan of Calvert County Nathan Joyce and Shepherd Grimes of Ann Arundel County but cannot agree to insert therein the Names of Henry Heinzman and John Davis of Frederick County and George Bell of Baltimore County

p. 385

Ordered that a Message be Prepared and Sent to the Upper House Signifying the Amendments agreed to by this House to the said Bill And that T. Johnson S. Chase Esq. :^{rs} and M.^r ffielder Gantt do Prepare and bring in such Message

T. Johnson Esq. :^r brings in and delivers to M.^r Speaker the following Report Viz. :^t

By the Committee Appointed to enquire into the facts Set forth in the Petition of Thomas Schley and John Jeremiah Myar of Frederick County Administrators of Daniel Davis deceased

It Appears to your Committee that the said Daniel Davis died Intestate leaving Issue as Set forth in the Petition That Letters of Administration have since been granted to the said Thomas Schley and John Jeremiah Myar as therein mentioned

That the Personal Estate of the said Davis by the Inventory thereof returned into the Commissarys Office Amounts to the

Sum of Eighty One Pounds ten Shillings and Nine Pence Current Money that the said Administrators have Past an Account with the Commissary General in which they are allowed for the Payments of Accounts against the said Estate to the Amount of thirty five Pounds twelve Shillings and two Pence Current Money; that there are other Accounts against the Estate which the Administrators have Paid to the Amount of twenty three Pounds and eleven Pence which Appears to have been due, the Commissary General has Indorsed on each of them that he will Allow them, That the said Davis at the time of his Death was Indebted unto the Estate of Daniel Dulany Esq. deceased by three Bonds all which have since been paid by the Administrators to Walter Dulany One of the Executors of the said Dulany, the Principal and Interest of the said Bond, the Payments made by the said Davis in his life time first deducted at the time of Payment Amounting to the Sum of Sixty three Pounds Eighteen Shillings and two Pence there was also laid before your Committee a Bond Appearing to be duly Executed from the said Daniel Davis unto Daniel Dulany Esq. Conditioned for the Conveyance of Part Of the Lot N.º 39 mentioned in the former Report made by Your Committee unto the said Daniel Dulany in fee with an Assignment thereon from the said Dulany to the said Myar the said Dulany by the said Assignment declaring the said Bond to have been Past to him to Secure the Payment of fforty Eight Pounds Pensylvania Currency due to him from the said Davis and Acknowledging the Payment of the said Sum by the said Myar there were other Accounts laid before your Committee none of which Appear to be duly Authenticated, nor have they at this time such Vouchers as would Justify the Administrators in the Payment of them your Committee would Observe that there has not been a final Account Past in the Commissarys Office [Nor has there been any List of Debts returned by the Administration, in the said Office.] All which is Submitted to the Consideration of the House

L. H. J.
Liber No. 52
May 22

p. 386

[*Green's printed Votes and Proceedings, May Session, 1766, p. 99, included bracketed addition*]

Signed p Order Tho. Duckett Clk

Which Report was read the first time and Ordered to lye on the Table

The House Adjourns till 2. of the Clock

Post Meridiem

The House met.

M. Lee Appeared in the House

D. Wolstenholme Esq. brings in and delivers to M. Speaker a bill Entituled an Act for Issuing Writs of Replevin out of the

L. H. J. County Courts of this Province which was Read the first and
 Liber No. 52 Second time by especial Order and will pass
 May 22

M.^r Hanson brings in and delivers to M.^r Speaker a Bill Entituled an Act for raising 4.^d Sterling p hogshead on all Tob.^o exported out of this Province for the Support of an Agent at London for the Service of this Province which was read the first and Second time by an especial Order and will Pass

On Motion M.^r Chaille hath leave of Absence

The House Adjourns till the morrow morning at 8 of the Clock

May 23

Friday 23.^d May 1766.

The House met.

All Present as Yesterday Except M.^r Sothoron and M.^r Chaille

On Motion M.^r Selby M.^r Harris and M.^r Allen have leave of Absence

the Bill Entituled an Act for Issuing Writs of Replevin out of the County Courts of this Province and the Bill Entituled an Act for raising 4.^d Sterling Per Hogshead on all Tobacco &c for the
 s. 387 Support of an Agent at London for the Service of this Province were sent to the Upper House by M.^r Grahame and M.^r Hanson

The following Message Viz:^t

By the Lower House of Assembly May 22.^d 1766

May it Please your Honours

This House Agrees to your Honours Proposed Amendment of the Bill Entituled an Act for the relief of Certain Languishing Prisoners in the several Goals therein mentioned so far as to insert the Names of Thomas Hicks Newton Richard Freeman and William Morgan of Calvert County and Nathan Joyce and Shepherd Grimes of Ann Arundel County and have Amended the Bill Accordingly, But as to Henry Heinzman John Berry and John Davis of Frederick County and George Bell of Prince Georges County which should be Baltimore County, We cannot concede to the Amendments Proposed as we are not Apprized of any Circumstances to Merit the Interposition of the Legislature in favour of those Petitioners on the Contrary we are informed that the Principal Creditor at whose Instance Henry Heinzman is now detained hath Offered to take his Bond for his Claim and Discharge him from Goal, Which Heinzman hath refused That John Berry is now and for some time Past hath been discharged out of Prison and Suffered to go at Large. That John Davis hath been Guilty of a Riot in the Goal and is Detained on that Account as well as for Debt and that George Bell is Strongly Suspected of having Acted fraudulently towards his Creditors and no Recommendation of the

said George Beals Petition by the Magistrates in his County Appears to this House nor does it in any manner Appear to us that the Creditors of the said George Beal hath any Notice of his Position. We therefore hope your Honours Concurrence with the Bill as now returned to you for that Purpose

L. H. J.
Liber No. 52
May 23

Signed by Order MMacnemara Cl Lo: ho:

Was Sent to the Upper House with the Bill Entituled an Act for the relief of certain Languishing Prisoners in the several Goals therein mentioned by M.^r ff: Gantt and M.^r W: Adams

On Motion of T: Johnson Esq.^r leave is given to bring in a Bill to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to Nominate and Recommend to the Governor or Commander in Chief of this Province Inspectors for the Warehouse in Baltimore Town

the Bill Entituled an Act for the Tryal of all Matters of fact in the several Countys where they have arisen or shall arise was read the Second time and will Pass and was Sent to the Upper House [by] M.^r J. Goldsborough and Col.^o Henry p. 388

The Bill Entituled an Act for Licensing Hawkers and Pedlars Was read with the Amendments Proposed thereto by the Upper House with which Amendments this House Disagrees

T. Johnson Esq.^r brings in and delivers to M.^r Speaker a Bill Entituled an Act for reviving and Continuing of Actions and Process in several of the Courts of Law within this Province which was read the first time and Ordered to lye on the Table

B. Calvert Esq.^r from the Upper House delivers to M.^r Speaker a Petition of Burr Harrison. Indorsed By the Upper House referred to the Consideration of the Lower House

Which Petition was here read the first time and Ordered to lye on the Table

The Report brought in by T. Johnson Esq.^r relative to the Allegations and facts contained in the Petition of Thomas Schley and John Jeremiah Myar was read the Second time and the House concurs therewith

The Petition of Thomas Schley and John Jeremiah [Myar] was read and Rejected

The House Adjourns till 2. of the Clock

Post Meridiem.

the House met.

Col.^o Lloyd Appeared in the House

On Motion M.^r Edmunson hath leave of Absence

Daniel Dulany Esq.^r from the Upper House delivers to M.^r Speaker a Petition of Frederick Haldimand. /Indorsed by the

L. H. J. Upper House of Assembly/ Referred to the Consideration of the
 Liber No. 52 Lower House of Assembly
 May 23

M.^r Grahame brings in and delivers to M.^r Speaker a Bill Entituled a Supplementary Act to the Act Entituled an Act for the Speedy Tryal of Criminals and ascertaining their Punishment in the County Courts when Prosecuted there and for payment of fees due from Criminal Persons Which was read the first time and Ordered to lye on the Table

John Ridout Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act for relief of certain Prisoners for Debt in the several County Goals therein mentioned. Indorsed By the Upper House of Assembly 23.^d May 1766

Read the third time and with the Amendments hereto made will Pass

Signed by Order U. Scott Clk Up: ho:

p. 389 Which Bill was Read here and Passed for Ingrossing
 the Petition of Cap.^t William M.^cLelan and Cap.^t John Vulgamot was Read the Second time and Rejected

On Motion the House took into Consideration the Services Performed on the Frontiers of this Province by Captains William M.^cLelan and John Vulgamot the last Campaign. and Resolved that Cap.^t William M.^cLelan be Allowed the Sum of £200. and that Cap.^t John Vulgamot be allowed the Sum of One hundred Pounds in Compensation of all Services done by them and that those Allowances be inserted in the List of Debts which accrued on Account of the late War

The House Adjourns till the morrow morning at 8 of the Clock

May 24

Saturday 24.th May 1766

The House met.

All the Members Appeared as Yesterday Except M.^r Harris M.^r Allen M.^r Tyler and M.^r Selby

On Reading the 2.^d time the Petition of Lieut.^t Burr Harrison the same was Granted and the Petitioner allowed £80. Ordered that the said Allowance be inserted in the List of Debts that Accrued on Account of the late War

On Reading the Petition of ffredrick Haldimand the Second time the Question was put that the said Petition be Granted. Resolved in the Affirmative

For the Affirmative

Wolstenholme
 Lloyd

Ware
 Wilson

Ward
 Jacob

Worthington	Winder	Tilghman	L. H. J. Liber No. 52 May 24
H. Hall	Henry	Cresap	
Hammond	Cockey Deye	ff: Gantt	
Johnson	Lee	Chapline	
[E.] Gantt	[J.] Hall. Balt	Smith.	
Grahame	Heath		25
Parran	Hyland		

For the Negative

W. Adams	Bealle	J. Hall. Annapolis.
J: Adams	Chase	[5]

On Resolution of the foregoing Question. Ordered that the said Petition be granted and that leave is given to the Petitioner to bring in a Bill according to prayer p. 390

On Motion Ordered that the Petition of the Inhabitants of Baltimore Town in Baltimore County be Read the 2.^d time on Thursday next afternoon and that M.^r Thomas Harrison of Baltimore Town have Notice thereof

A Bill Entituled an Act directing the Copy of the last Will and Testament of General Brigadier [*sic*] Bouquet to be Recorded in the Prerogative Office of this Province and for other Purposes therein mentioned. Was Read the first and Second time by an especial Order and will Pass and was sent to the Upper House by Col.^o Tilghman and M.^r Grahame

M.^r J. Goldsborough for the Committee of Accounts brings in and delivers to M.^r Speaker the Journal of Accounts and the List of Debts Accrued to Sundry Persons therein mentioned on Account of the late War which were read and severally Indorsed read and Assented to By the Lower House of Assembly, and were sent to the Upper House by M.^r J. Goldsborough and M.^r Hanson

the Bill Entituled a Supplementary Act to the Act Entituled an Act for the Speedy Tryal of Criminals and Ascertaining their Punishment in the County Courts &c was read the 2.^d time and will Pass and was Sent to the Upper House by S. Wilson Esq.^r and M.^r Wright

The Petition of the Merchants of Baltimore Town was read and referred to the Consideration of next Assembly

M.^r Grahame and M.^r Gantt have leave of Absence

The House Adjourns till 2 of the Clock

Post Meridiem.

the House met.

Richard Lee Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act directing a Copy of the last Will and

L. H. J. Testament of Col.^o Henry Bouquet to be Recorded in the Prerogative Office of this Province &c Indorsed By the Upper House of
 Liber No. 52 Assembly 24.th May 1766. Read the first and Second time by especial
 May 24 Order and will pass

Signed by Order U: Scott Clk Up: ho:

p. 391 And the Bill Entituled an Act for the Tryal of Matters of fact in the several Countys Where they have arisen or shall arise, Indorsed by the Upper House of Assembly 24.th May 1766. Read the Second time and will Pass with the following Amendments Viz.^t in the 8.th Line of the first Page insert the Word. "any" betwixt the Word "that" and "two" in the same line Strike Out the Words "on each side of the Bay and insert them betwixt the Words "delivery" and "and" in the tenth Line of the same Page. In the 24.th Line of the same Page Strike out the Words "to Serve" Betwixt the Words "aforesaid" and "on" in the 6.th Line of the 2.^d Page Strike out the Words "On the Eastern Shore" and Insert in the same Line betwixt the Words "aforesaid" and "or" the following Words /Viz.^t/ to Serve on the Eastern Shore in the 18.th Line of the same page Strike out the Word "Tendering" and insert in place thereof the words "tendering to make the same Alteration in the last Line of the same Page, in the fourth Line of third Page Strike out the Word twenty and insert the Word "fourteen" strike out the Proviso beginning in the Seventh Line of the same Page and ending in the 9.th Line in the 14.th Line of the 4.th Page Insert the Word 12.th betwixt the Words "and" and "Persons" after the Proviso at the bottom of the 6.th Page insert two following Clauses Viz.^t

And Whereas by an Act for the Advancement of Justice it is Provided and Enacted that in all Actions to be Commenced in the Provincial Court for the recovery of any certain Sum of Money within the Jurisdiction of that Court wherein the Plaintiff shall be desirous of a speedy Tryal that if the Plaintiff should send a Copy of the Declaration on the Case with the Writ, and Cause the same to be Served on or delivered to the Defendant or left at his or her last place of Abode twenty days at the least before the Appearance Court it should be lawful for the Justices of the said Court and they are by that Act required to proceed to Tryal the same Court and if the Defendant should refuse or Neglect to Answer or Plead to render Judgment for the Plaintiff with Cost of Suit unless Sufficient Cause should be Shown by the Defendant Why there should be an Imparlance and that as Jurors are not summoned to the Provincial Courts. But the facts tried in the several Countys where they have arisen or shall arise, so that when the Defendant pleads any Matter of fact triable by a Jury the Issue cannot be
 p. 392 tried at the Appearance Court. Be it therefore Enacted and declared that when Cops of declarations are served or left According to the

direction of this Act and no Sufficient Cause Shown for an Imparlanee and that the Defendant should Plead a matter of fact which is required to be done at the Appearance Court that then and in such Case the fact shall be tried at the first Assizes that shall happen after the Appearance Court in the County where the fact hath arisen or shall arise any Law Usage or Custom to the Contrary Notwithstanding

L. H. J.
Liber No. 52
May 24

in the 1.st Line of the 9.th Page insert the Word "Adjourned" betwixt the Words "the" and "Provincial" in the 2.^d and third Lines of the same Page Strike out the Words "April Term in the Year of our Lord God One thousand Seven hundred and Sixty Six" and instead thereof the Words "said Court"

in the 2.^d and 3.^d Lines from the bottom of the same Page Strike out the Word Seven and insert the Word "three"

On Reading the Amendments Proposed by the Upper House to the Bill Entituled an Act for the Tryal of all Matters of fact in the several Countys where they have arisen or shall arise

the Question was Put that this House do Agree to the Amendments Proposed by the Upper House to the said Bill. Resolved in the Affirmative

For the Affirmative

Wolstenholme	J. Goldsborough	Jacob
Lloyd	R. Goldsborough	Tilghman
Hanson	Henry	Wright
Smallwood	Cockey Deye	Cresap
Ware	Lee	ff. Gantt
Wilson	[J.] Hall of Balt.	Chapline
W. Adams	Heath	Smith.
J. Adams	Hyland	
Winder	Ward	

25

For the Negative

Worthington	Johnson	Chase
H. Hall	Parran	J. Hall of Annapolis
Hammond	Bealle	[8]

Which Bill was accordingly. Indorsed Read and Passed for p. 393 Ingrossing

T. Johnson Esq.^r brings in and delivers to M.^r Speaker a Bill Entituled an Act to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to Nominate and recommend Inspectors for Baltimore Town Warehouse which was read the first and Second time by especial Order and will Pass and was sent to the Upper House by M.^r Lee and M.^r Heath

L. H. J. J. Chamberlaine Esq.^r from the Upper House delivers to M.^r
 Liber No. 52 Speaker the Journal of Accounts and List of Debts which List of
 May 24 Debts was Indorsed By the Upper House of Assembly 24.th May
 1766 and Assented to

Signed by Order U. Scott Clk Up: ho:

And the following Message Viz:†

By the Upper House of Assembly May 24.th 1766

Gentlemen

We have no Objection to the several Allowances made to the Militia that Served on the ffrontiers during the late War or to the Payment of such Persons as Supplied them with Provisions or were put to Expences by furnishing Necessarys to any of his Majestys forces that were quartered in this Province and therefore have Assented to the Book of Accounts wherein these Claims are adjusted but we cannot Assent to the Journal of Accounts because the usual Allowance is not therein made to the late and present Clerk of the Council nor to our Clerk for making three Copys of the Upper House Journal for the last Session

Signed by Order U: Scott Clk Up: ho:

And the Bill Entituled an Act for Issuing Writs of Replevin out of the County Courts of this Province and the Bill Entituled an Act
 p. 394 for raising 4.^d Sterling ʔ hogshead On all Tobacco and for Support of an Agent &c severally/ Indorsed By the Upper House of Assembly 24.th May 1766 read the Second time and will not Pass And the Bill Entituled a Supplementary Act to the Act Entituled an Act for the Speedy Tryal of Criminals &c Indorsed By the Upper House of Assembly 21.st [24.th] May 1766 read the first and Second time by especial Order and will pass

Signed by Order U: Scott Clk. Up: ho:

Which Bill was read here and Passed for Ingrossing

The House Adjourns till Monday Morning at 9. of the Clock

May 26

Monday 26:th May. 1766

the House met.

M.^r Tyler Appeared in the House

Samuel Wilson Esq.^r and Cap.^t Winder have leave of Absence

The Bill Entituled an Act for the relief of Insolvent Debtors was Read the 2.^d time and referred for Consideration at next Session of Assembly.

The House Adjourns till 2. of the Clock

Post Meridiem

L. H. J.
Liber No. 52
May 26

The House met.

William Murdock Esq^r Appeared in the House

Col.^o Hooper from the Upper House delivers to M.^r Speaker the Bill Entituled an Act for Regulating Innholders and Ordinary Keepers within this Province Indorsed /By the Upper House of Assembly May 22.^d 1766. Read the first time and Ordered to lye on the Table/ and thus /By the Upper House of Assembly May 26.th 1766. Read the Second time and will Pass with the Amendments Annexed

Signed by Order U. Scott Clk Up: ho.

the Word Ordinary at the bottom of the first Page to be left out in the Second Page in the fourth and fifth Lines leave out the Words "at every November Court shall deliver to the several Justices" and in their Place insert the following Viz.^t On or before the last Day of February Yearly shall return to the Treasurers of the Western and Eastern Shores Respectively Where the said Clerks shall Officiate. Leave out in the same Page the Eighth Ninth tenth and Eleventh Lines and insert in their Place the following Clause. Be it Enacted by the Authority aforesaid that all and every the Sum and Sums of Money to be paid received and Collected by the Sheriffs aforesaid by Virtue of this Act shall by them and every of them be paid into the Hands of the Treasurer for the time being on or before the last day of April every Year in manner following Viz.^t all and every Sum and Sums of Money paid unto received and Collected by the Sherriffs of the respctive Countys on the Western Shore shall be paid by the said Sherriffs into the Hands of the Treasurers of the said Shore and all and every Sum and Sums of Money paid unto received and Collected by the Sheriffs of the respective Countys on the Eastern Shore shall be paid by the said Sherriffs into the hands of the Treasurers of said Shore deducting thereout the Salary aforesaid and all and every Sum and Sums of Money to be paid as aforesaid into the hands of the said Treasurers [respectively, shall be subject to such application, from Time to Time, as the General Assembly of this Province, for the Time being, shall direct and appoint; the said Treasurers] respectively rotating a Commission of five pounds p Centum of all Moneys to be Paid unto and received by them in Virtue of this Act

p. 395

[*Green's printed Votes and Proceedings, May Session 1766, p. 103, includes above bracketed addition*]

in the twentyeth Line of the third Page leave out the Word "is" and insert "are" leave out the 2.^d Line of the fourth Page and the Words "as aforesaid" in the third Line of the same Page and insert the following Words "to be received by the Sherriff and Applied in the manner above directed." In the Lines twenty third and twenty

L. H. J. fourth of same Page leave out the Words "to the use of the County
 Liber No. 52 by the Justices" in the Eleevnth line of the Sixth Page leave out the
 May 26 Words "for the use of the respective County"

On Reading the Amendments aforesaid the first and Second time and on Consideration thereof this House disagrees thereto the House resumed the Consideration of the Noble generous and Spirited Conduct of the ffrriends of Liberty in Great Britain in Support of the Interest of America and after some time Spent therein. Resolved that the further consideration thereof be referred till next Session of Assembly when it is expected this House will have full Information of every Transaction Proper to direct a determination on the interesting Occasion

On reading the Second time the Bill Entituled an Act for reviving and continuing of Actions and Processes in several of the Courts
 p. 396 of Law within this Province the Question was put that the Sherriffs be not Answerable or further amerced for not bringing Defendants into Court in Actions where Amercements were entered at August Court where the Defendants have run away or Absconded out of their Countys after the first day of November last and before making this Act. Resolved that the Sheriff be Answerable

For the Sherriffs to be Answerable

Wolstenholme	Smallwood	Jacob
Lloyd	Ware	Tyler
Worthington	Wilson	Tilghman
Hammond	W. Adams	Wright
Johnson	J. Adams	Cresap
E. Gantt	Cockey Deye	Smith.
Parran	Hyland	
Hanson	Ward	

[22]

For the Sherriffs not to be Answerable

H. Hall	R : Goldsborough	Chase
Grahame	Lee	J. Hall. Annapolis
Winder	J. Hall of Balt.	ff. Gantt
J. Goldsborough	Heath	Chapline
Henry	Bealle	

[14]

the Bill Entituled an Act for reviving and continuing of Actions and Process in several of the Courts of Law within this Province was read the Second time and will Pass and was sent to the Upper House by M.^r ff. Gantt and M.^r Hall of Balt.

The House Adjourns till the Morrow morning at 8 of the Clock

Thursday 27th May 1766

L. H. J.
Liber No. 52
May 27

The House met.

the Report made by the Committee Appointed to inspect into the State and Condition of the several Publick Offices was read the Second time and the House Concurs therewith

On Motion Ordered that an Address be prepared to the Governor relative to the aforesaid Report and that the Committee Appointed to inspect the State of the Publick Offices do Prepare and bring in the same

An Ingrossed Bill Entituled an Act continuing an Act Entituled an Act to prevent [Disabled and] Superannuated Slaves being Set free or Manumission of Slaves by any last Will or Testament

An Ingrossed Bill Entituled an Act to vest the Title of and in a certain Lot or Parcel of Land in John Jeremiah Myar p. 397

An Ingrossed Bill Entituled an Act for the relief of certain Languishing Prisoners in the several Goals therein mentioned

An Ingrossed Bill Entituled an Act directing a Copy of the last Will and Testament of Col.^o Henry Bouquet to be Recorded in the Prerogative Office of this Province and for other Purposes therein mentioned

An Ingrossed Bill Entituled an Act for the Tryal of All matters of fact in the several Countys where they have arisen or shall arise And an Ingrossed Bill Entituled a Supplementary Act to an Act Entituled an Act for the Speedy Tryal of all Criminals and Ascertain- ing their Punishment in the County Courts when Prosecuted there and for Payment of fees due from Criminal Persons

Were Severally Read and Assented to and sent to the Upper House with the Paper Bills thereof by M.^r Wright and M.^r J : Adams

T. Johnson Esq.^r brings in and delivers to M.^r Speaker an Address to the Governor which he read in his Place and delivered in at the Table which was read a first and Second time by the Clerk Ap- proved and Ordered to be Ingrossed

B. Calvert Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act reviving and Continuing of Actions and Process in several of the Courts of Law within this Province /Indorsed/ By the Upper House of Assembly 26.th May 1766 Read the first time and Ordered to lye on the Table /and thus/ By the Upper House of Assembly 27.th May 1766. Read the 2.^d time and will Pass

Signed by Order U. Scott Clk Up: ho:

Which Bill was read here and Passed for Ingrossing

T. Johnson Esq.^r brings in and delivers to M.^r Speaker the follow- ing Ingrossed Address Viz:^t

L. H. J.
Liber No. 52
May 27
p. 398

To his Excellency Horatio Sharpe Esq:^r Governor and Command:^r
in and over the Province of Maryland

the Humble Address of the House of Delegates

May it please your Excellency

We find by a Report of a Committee of this House Appointed to inspect into the State of the several Publick Offices a Copy of which we herewith Present to your Excellency that from the Examination which could at this time be made there are many Errors and Omissions in the Records of the Secretarys Commissarys and Land Office the evil consequences of Negligence or remissness in the Execution of Publick Offices the Records of which are almost the only Evidence of Property in this Province are but too Obvious We therefore hope your Excellency will use your Influence in directing the Errors and Omissions which have already happened to be rectified and Supplied as far as can be as also in Recommending in the Strongest manner a more exact Discharge of Duty to Gentlemen who enjoy such Publick Offices

Which was read and assented to and Signed by Order of the House by the Hon^{ble} Speaker

Ordered that Col.^o Tilghman and M.^r ff: Gantt do Acquaint his Excellency the Governor that this House hath Prepared an Address to him and desires to know when and where he will please to receive it they return and Acquaint M.^r Speaker that the Governor Signified he would receive the Address immediately in the Conference Chamber

Ordered that Col.^o Tilghman with three more do present the Address

The House Adjourns till 2. of the Clock

Post Meridiem.

the House met.

the Order of the day being read the House took into Consideration the Petition of the Inhabitants of the Town of Baltimore in Baltimore County And Referred the said Petition to the consideration of next Assembly

On Motion Ordered that the Whole Proceedings of the Congress at New York be entered on the Journal and Which are as follows Viz:^t

[There immediately follows in the manuscript Votes and Proceedings, folios 399-426, the Proceedings of the Stamp Act Congress held October 1765 in New York City. These Proceedings are not repeated here as they have already been printed in full in the Appendix of Volume 59, pp. 327-356 from a contemporary pamphlet. Nor does Green print them at this point in his printed Votes and Proceedings]

On Motion Resolved that the hon.^{ble} Speaker, William Murdock Esq.^r Col.^o Tilghman Thomas Ringgold, and Thomas Johnson Esq.^{rs} or any three or more of them be a Committee to Correspond with Charles Garth Esq.^r in the Recess of the Assembly and that they lay before this House an Account of their Correspondence.

L. H. J.
Liber No. 52
May 27
p. 426

p. 427

The House Proceeded to Tax the Bill Entituled an Act to vest the Title of and in a certain Lot or parcel of Land in John Jeremiah Myar.

To the hon. ^{ble} Speaker.....	£2..0.0
To the Clerk.....	1..0.0

And the Bill Entituled an Act directing a Copy of the last Will and Testament of Brigadier General Bouquet to be Recorded in the Prerogative Office of this Province and for other Purposes therein mentioned.

To the hon. ^{ble} Speaker.....	£6..0.0
To the Clerk.....	3..0.0

An Ingrossed Bill Entituled an Act for reviving and continuing of Actions and Process in Several of the Courts of Law within this Province was Read and Assented to and sent to the Upper House with the Paper Bill thereof by M.^r Hanson and M.^r Hall.

John Ridout Esq.^r from the Upper House delivers to M.^r Speaker all the Paper Bills (the Ingrossed bills of which had been sent to the Upper House) severally Indorsed the Engrossed Bill of which this is the Original is Read and Assented to by the Upper House of Assembly.

Signed by Order U Sott Cl up ho

Ordered that the following be Entered on the Journal as the Resolve of this House Viz.^t

Resolved that this House will not receive the Petition for the Discharge of any Prisoner for Debt unless Notice be given of such Prisoners Intention to apply for relief by Advertizements set up at the Court House door and in the Clerks Office of the County where such Prisoner is confined for the Space of thirty days at least before the meeting of that Session of Assembly to which such Petition shall be preferred, and such Notice to be Certified by the Justices of the County Court where such Prisoner is confined or three of the said Justices at the least

Ordered that the following Resolve made the 22.^d Day of November 1763. be entred on the Journal of this Session and printed with the foregoing Resolve in the Maryland Gazette

Resolved that for the future this House will not take into Consideration any Petition from the Inhabitants of any County or Parish relative to the imposing any kind of Taxes or erecting any publick Buildings or other matter any way respecting the general Interest

L. H. J. of such County or Parish or particular Interest of any part thereof
 Liber No. 52 unless it shall be made appear that two Months at least before the
 May 27 offering such Petition to any Person to be Subscribed Advertisements were set up at all the Churches, Chapels and Court house of the said County notifying the intention of Offering Such Petition to be subscribed in Order to be preferred to this House.

Daniel Dulany Esq.^r from the Upper House delivers to M.^r Speaker the Bill Entituled an Act to enable the Vestrymen and Church Wardens of Saint Pauls Parish in Baltimore County to
 p. 428 nominate and recommend Inspectors for Baltimore Town Warehouse (Indorsed) By the Upper House of Assembly 27th May 1766 Read the 2.^d time and will pass

Signed by Order U Scott Cl up ho

which Bill was Read here and Passed for Ingrossing.

Ordered that the Bill Entituled an Act for reviving and continuing Actions and Process in Several of the Courts of Law within this Province be Printed forthwith by M.^r Jonas Green, Printer that Copies may be dispersed to the several County Courts with all convenient Speed. Ordered That the following be Entered on the Journal as the Resolves of this House. Viz.^t

Resolved unanimously that the Gentlemen of the Committee of Correspondence be directed by the Speaker to acquaint Charles Garth Esq.^r that this House unanimously approve his Conduct communicated in his Letters of the 26th of February and 5th of March last to Messieurs Tilghman Murdock and Ringgold laid before this House.

An Ingrossed Bill Entituled an Act to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to nominate and recommend Inspectors for Baltimore Town Warehouse was Read and Assented to and with the Paper Bill thereof was Sent to the Upper House by M.^r Heath and M.^r John Hale of Balt.

B: Calvert Esq.^r from the Upper house delivers to M.^r Speaker the paper Bill entituled an Act to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to nominate and recommend Inspectors for Balt. Town Warehouse

Indorsed by the Upper House of Assembly 27th May 1766.
 th' Engrossed Bill whereof this is the Original is Read and Assented to

Signed by Order U Scott Cl: Up. ho

Ordered that M.^r John Goldsborough and Daniel Woolstenholme Esq.^r do acquaint his Excellency the Governor that no Publick Business lays before this house to Transact.

Samuel Chamberlaine and R.^d Lee Esq.^{rs} from the Upper house acquaint M.^r Speaker That the Governor requires the Attendance of the Lower house immediately in the Upper house

M.^r Speaker left the Chair and (attended by the Members of the Lower house) went to the Upper house and Presented to his Excellency. L. H. J.
Liber No. 52
May 27

N.^o 1 An Ingrossed Bill Entituled an Act continuing an Act Ent.^d an Act to prevent disabled and superanuated Slaves being set free or the Manumission of Slaves by any last Will or Testament.

N.^o 2 An Ingrossed Bill Ent.^d an Act to vest the Title of and in a certain Lot or parcel of Land in John Jeremiah Myar.

N.^o 3 An Ingrossed Bill Ent.^d an Act for the relief of certain languishing Prisoners in the several Goals therein mentioned. p. 429

N.^o 4. An Indorsed Bill Ent.^d an Act directing a Copy of the last Will and Testament of Brigadier General Bouquet to be Recorded in the Prerogative Office of this Province and for other purposes therein mentioned.

N.^o 5. An Ingrossed Bill Ent.^d an Act for the Tryal of all matters of Fact in the several Counties where they have arisen or shall arise.

N.^o 6. An Ingrossed Bill Ent.^d a Supplementary Act to an Act entitled an Act for the Speedy Tryal of Criminals and ascertaining their Punishment in the County Courts when Prosecuted there and for Payment of Fees due from Criminal Persons.

N.^o 7. An Ingrossed Bill Ent.^d an Act for reviving and continuing of Actions and Process in several of the Courts of Law within this Province.

N.^o 8. An Ingrossed Bill Ent.^d an Act to enable the Vestrymen and Church Wardens of S.^t Pauls Parish in Baltimore County to Nominate and recommend Inspectors for Baltimore Town Warehouse. All which his Excellency the Governor Passed into Laws in the usual Form and made the following Speech Viz.^t

Gentlemen.

I with the Advice of his Lordships Council of State do Prorogue this general Assembly to the 27th day of October next and you are to take Notice that you are Prorogued to that day accordingly.

So Endeth this Session of Assembly this 27th day of May Anno Domini 1766.

Test. MMacnemara Cl lo ho.

ACTS OF THE ASSEMBLY PASSED IN MAY 1766

Liber H. S. At a Session of Assembly begun and held at the City of Annapolis
 No. 1 on Friday the ninth Day of May in the sixteenth Year of the
 1766 Dominion of the Right Honourable Frederick Absolute Lord and
 p. 593 Proprietary of the Provinces of Maryland and Avalon Lord Baron
 of Baltimore and so forth Anno Domini 1766 and ending the twenty
 seventh Day of the same Month following.

The following Laws were enacted and assented to by his Excellency
 Horatio Sharpe Esquire Governor

No. 1 An Act continuing an Act entituled an Act to prevent disabled and
 Superannuated Slaves being Set free, or the Manumission of Slaves
 by any last Will or Testament

[The Act of Be it Enacted by the Right Honourable the Lord Proprietary
 1752, Ch. 1, by and With the advice and Consent of his Lordships Governor,
 Continued 20 and the upper and Lower Houses of Assembly and the Authority
 years &c] of the same That an Act of Assembly of this Province entituled, an
 Act to prevent disabled and Superannuated Slaves being set free
 Or the Manumission of Slaves, by any last Will or Testament, made
 at a Session of Assembly begun and held at the City of Annapolis
 the third day of June One thousand Seven hundred and Fifty two,
 be and is hereby Continued and Shall remain and be in full Force
 for and during the Term of Twenty Years and unto the end of the
 next Session of Assembly which Shall happen after the Expiration
 of the said Twenty Years

May 27 th 1766 Read and Assented to by the Lower House of Assembly Signed p Order M Macnemara Cl lo ho	On behalf of the Right honourable the Lord Pro- prietary of this Province, I will this be a Law Hor : ^o Sharpe	May 27 th 1766 Read and Assented to By the Upper House of Assembly Signed p Order U Scott Cl. Up: Ho.
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The Great Seal
 in Wax Appendant

No. 2 An Act to Vest the Title of and in a certain Lott or parcell of
 Land in John Jeremiah Myar

[A Private Whereas it Appears to this General Assembly that a Contract
 Act] was made and entered into on the fourteenth day of April Anno
 Domini Seventeen hundred and Sixty two between John Jeremiah
 p. 594 Myar of Frederick Town in Frederick County Merchant and Daniel
 Davis of the Same Place Blacksmith purporting that the said Daniel
 Davis Should convey unto the same John Jeremiah Myar a good
 sure indefeazable Estate of Inheritance in fee Simple of in and unto

a Lott or parcel of Ground Scituate and lying on the first Street in Frederick Town joining on the west Side to John Lingenfeldar and extending Sixty feet from thence in Breadth and running three hundred and ninety three feet in length being part of two Lotts of Ground marked and distinguished by N.^o 38 and 39 together with all and Singular the Buildings Improvements and Advantages on the said Lott or parcell of Ground and that the said John Jeremiah Myar Should pay to the same Daniel Davis the sum of Six hundred and fifty pounds Pensylvania Money for the same In pursuance of which said Agreement the said Daniel Davis gave his Bond or Obligation duly executed to the Same John Jeremiah Myar bearing date on the day and year aforesaid in the penalty of thirteen hundred pounds Current Money of Maryland for the Conveyance of the same Lott And whereas the said Daniel Davis being Indebted unto Daniel Dulany Esquire in the sum of four hundred and Seventy five Pounds in Gold and Silver as regulated by the late Inspection Law the said John Jeremiah Myar passed and executed a Bond with Security to the said Daniel Dulany Esquire for the same Sum of four hundred and Seventy five pounds in Gold and Silver as aforesaid at the request and by the direction of the said Daniel Davis which he the said Daniel Dulany accepted and was Accounted as payment in part of the said Purchase money, And Whereas at the time of making the Agreement aforesaid the said Daniel Davis was Indebted by Obligation unto the same John Jeremiah Myar in the sum of one hundred and fifty pounds Maryland Money Which at the time of entering into the Agreement aforesaid was also concluded between the Same Parties to be Accounted and taken in discharge of part of the said Sum of Six hundred and fifty Pounds pensylvania Money and hath always hitherto Since been deemed and taken as such which said Several Sums of Money amount in the Whole to more than the sum Stipulated for the Same Lott or parcell of Ground, And Whereas it further Appears to this General Assembly that the said Daniel Davis departed this Life about the last of June in the Year of our Lord One thousand seven hundred and Sixty two aforesaid Without having made or Executed any Conveyance of his Right Title Interest and Estate of in to and out of the Lott or parcel of Ground aforesaid agreeable to the Contract aforesaid and the True intent and Meaning of the Said Parties, leaving three Daughters only, Infants within the age of Twenty one Years, who are Incapable of Complying with and performing the Agreement aforesaid on the part and behalf of the same Daniel Davis to be Observed, thro'. means Whereof without the Interposition of this General Assembly the same John Jeremiah Myar his Title to the said Lott or parcel of Land must for a Long time continue imperfect to his great Prejudice and in delay of Justice. Be it therefore Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordships

Liber H. S.
No. 1

P. 595

Liber H. S. Governor, and the Upper and Lower houses of Assembly and the
 No. 1 Authority of the same that the same John Jeremiah Myar his heirs
 and Assigns forever Shall be and he and they are hereby by virtue
 of this Act Vested with a good sure indefeazable Estate of In-
 heritance in fee Simple of in and unto the aforesaid Lott or piece
 of Ground Situate and lying on the first Street in Frederick Town
 aforesaid joining on the west Side to John Lingenfelder as afore-
 said and extending thence in breadth Sixty feet and running three
 hundred and Ninety three feet in length being part of two Lotts of
 Ground marked number thirty eight and thirty nine together with
 all and Singular the Buildings Improvements and Advantages on
 the same Lott or parcel of Ground in as full and Ample manner as
 the same Daniel Davis could have vested him the said John Jeremiah
 Myar his heirs and Assigns with saving to his most Sacred Majesty
 his heirs and Successors to the Right Honourable the Lord Pro-
 prietary his heirs and Successors and to all Bodies Politick and
 Corporate and all Others not mentioned in this Act their Several
 and respective Rights.

May 27th 1766
 read and Assented to
 By the Lower house of
 Assembly
 Signed p Order
 MMacnemara Cl to ho

On behalf of the Right
 Honourable the Lord Pro-
 prietary of this Province,
 I will this be a Law
 Hor:^o Sharpe

May 27th 1766
 Read and Assented to
 By the Upper House of
 Assembly
 Signed p Order
 U Scott Cl: Lo: Ho:

The Great Seal
 in Wax Appendant

No. 3 An Act for the Relief of certain languishing Prisoners in the several
 Goals therein Mentioned

[Preamble,
 with the
 names of
 the Prison-
 ers relieved
 by this Act]

Whereas Jonathan Hudson, John Mears, Philip Rain, Littleton
 Brumley, William Truitt, Thomas Pearson, Savory Wing, Elias
 Townsend, Robert Nelson, Levin Laramore, Charles Moore, Ed-
 ward Wooden, languishing Prisoners in Worcester County Goal,
 Stephen Tare, John Vain, Ignatius Spalding languishing Prisoners
 in Charles County Goal. George Mathews, James Ager languishing
 Prisoners in Baltimore County Goal Michael M^cDorman, Edward
 Bennett, John Knowles, Joseph Holder, Peter Magee, Neomie
 Kelsick, Priscilla Barkley languishing Prisoners in Somerset County
 Goal. Lockyer Long and John Deale languishing Prisoners in
 Prince Georges County Goal. Richard Freeman, William Morgan,
 Thomas Hicks Newton, languishing Prisoners in Calvert County
 Goal Nathan Joyce and Shepherd Grimes languishing Prisoners
 in Ann Arundel County Goal. John Berry languishing Prisoner
 in Frederick County Goal by their Petitions to this present General
 Assembly have set forth that they have respectively continued
 Prisoners for Debt in the Custody of the Sheriffs of the respective
 Counties aforesaid for a Considerable Time past and Still continue

in like deplorable Circumstances not being Able to redeem their Bodies with all the Estate or Interests they have in the World Which they would readily surrender up, and part with to their several and respective Creditors if they would accept of the same and Grant the said Petitioners there Liberty which seems to unlikely for them to Obtain that unless relieved by a particular Act to be past in their Favour which by their said Petitions they have humbly prayed they must inevitably continue prisoners for life, and as the allegations of the said Petitioners appear to this General Assembly to be true and that their lying in Goal can be of no Advantage to their Creditors it is humbly prayed that the said Petitioners may be relieved According to their Prayer and that it may be enacted

Liber H. S.
No. 1

And be it Enacted by the Right honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that in case the said Prisoners shall deliver up and surrender or Cause to be delivered up and Surrendered to the Sheriffs of the respective Counties aforesaid in the presence of two Justices of peace of the Counties aforesaid whom the said Sheriffs are hereby required to Summon at the request of the said Prisoners at some Convenient Time after the receipt of this Act not exceeding five days all their real and Personal Estate either in possession Reversion remainder or in Trust or in or unto Which they have any Claim or Interest whatsoever and likewise before the day before mentioned convey Assign Transfer and make over unto the Sheriffs respectively for the use of the said Creditors all such their Estate Interest or Claim as aforesaid after such manner as by the said Sheriffs and by the Major part of such Creditors or such of them as Shall think fit to direct therein or their Council learned in the Law Shall reasonably devise or require at the Costs and Charges of the Persons who Shall claim benefit thereof so that the said Prisoners be not burthened with any Warranties thereby Other than against them selves or those Claiming by from or under them and that the said Prisoners at the time of such their Surrender and Transferring their Estate as aforesaid Shall take their Solemn Oaths (or Affirmation if Quakers) before the said two Justices aforesaid to effect following Viz.¹ "I A B do Affirm or Solemnly Swear that the Goods Debts and effects Which I have delivered Assigned and made over to the Sheriff of

[Prisoners
to be dis-
charged on
delivering
up their
Effects, on
Oath]

[The Oath]

County and in Trust for the use of my Creditors is the Whole Estate both real and personal of my own in Possession or that I have any Title to in the World and that I have not any Estate, Goods or Effects of any kind Whatsoever left either in Possession Reversion or remainder (the necessary wearing Apparel of myself Wife and Children and working Tools excepted) and that I have not directly or indirectly sold leased or otherwise Conveyed dis-

p. 597

Liber H. S. posed of or Intrusted all or any part of my Estate thereby to de-
 No. 1 fraud my Creditors or to secure the same to receive or expect any
 profit or advantage thereof So help me God." It Shall and may be
 Lawfull for the Sheriffs of the Counties aforesaid after the end
 of the said five days and they are hereby required to discharge the
 said Prisoners and Suffer them to go at Large

[To be dis- And be it further Enacted That if the said Prisoners or any
 charged from
 future ar- of them Shall be arrested or Imprisoned or any Process sued out
 rests on Ap- on any Judgment or Decree Obtained against any of them for any
 pearances, Debt Damages or Costs contracted owing or growing due before
 &c] the End of this Session of Assembly the Court out of Which such
 Process Issued Shall and may discharge such Prisoner on motion
 and if the said Prisoners or any of them Shall be arrested or Im-
 prisoned on any Process for the recovery of any Debt Damages
 or Costs contracted owing or growing due before the end of this
 Session of Assembly the Court or Justice before whom Such
 process Shall be returned, Shall and may discharge the party Ar-
 rested out of Custody on his or her common Appearance being
 entered without any Special Bail, Provided that the discharge of
 the Said Prisoners or any of them shall not acquit any other Person
 from such Debt Damage or Cost or any Part thereof but that all
 such Persons Shall be Answerable for the same in such manner
 as they were before the Passing this Act.

[Debts to Provided always and be it Enacted by the Authority aforesaid
 stand good that notwithstanding the discharge of the said Prisoners or any
 in Case] of them all and every Debt or Debts due and owing from him her
 or them and all and every Judgment had or decree obtained against
 him her or them Shall Stand and be good and effectual in Law to
 all Intents and Purposes against the Lands Tenements and Heredi-
 taments Goods and Chattles of him her or them and Which He
 She or they or any other Person in Trust for the use of him her
 or them had at the time of the discharge of the said Prisoners or
 any of them or which He She or they at any time Hereafter Shall
 or may be any way Seized or Possessed of or Interested into his
 her or their own Use or in his her or their own proper Right either
 in Law or equity (except the Wearing Apparel Bedding and Work-
 ing Tools of him her or them not exceeding the Sum of Ten pounds
 Current Money) and it Shall and may be Lawful for any of their
 Creditors their Executors Administrators or Assigns to take out
 new execution or Executions Without any serie facias previous
 thereto against the Lands Tenements or other Hereditaments Goods
 and Chattles of the said Prisoners or any of them (except as before
 p. 598 excepted) for the Satisfaction of his her or their Debts in such
 sort manner and Form as He She or they might have done if the
 said Prisoners or any of them had not been taken in execution
 or discharged by Virtue of this Act.

And be it further Enacted by the Authority aforesaid That if any Action of Escape be brought against any Sheriff or any Suit or Action against any Justice or Justices for their Performing their duty in pursuance of this Act he or they may plead the general issue and give this Act and the Special Matter in evidence and if the Plaintiff be non-Suit or discontinue his Action or Verdict pass against Such Plaintiff or Judgment upon Demurrer the Defendant Shall have and recover Double Costs.

Liber H. S.
No. 1
[Actions of
Escape]

Provided also that nothing in this Act Shall extend or be Construed to extend to bar any Creditor or Creditors of the before mentioned Prisoners from having and maintaining an Action of escape against any Sheriff who hath permitted any escape before the making this Act.

[Proviso, as
to escape]

Provided nevertheless That in case any of the said Prisoners shall at any time after making such Oath or Affirmation as aforesaid be Convict of Wilfull and corrupt perjury thereupon or of a Wilful breach or Non Compliance with the Tenor of such Oath or Affirmation as aforesaid that then the said Prisoner Shall upon such Conviction as aforesaid be wholly deprived of any benefit intended to him her or them by this Act and Shall from thenceforth be liable to be prosecuted for any Debt or Damages Whatsoever in the same manner as if this Act had never been made any thing to the Contrary Notwithstanding

[In case of
Perjury]

Provided also that the respective Sheriffs of the Counties aforesaid Shall be first paid and Satisfied their Imprisonment Fees before any Creditor or Creditors Shall have or receive any Share or part of the Estates of the said Prisoners respectively or of the Produce thereof.

[Sheriffs
fees to be
first paid]

And be it further Enacted That after Public Notice given by Advertisements sett up at the Court house Door of the County Thirty days at the Least of the sale of any of the said Prisoners Lands and five days at the Least of the Sale of any of the said Prisoners other Estate the Said Sheriffs to whom any of the said Estates Real or Personal Shall be surrendered and delivered up in pursuance of this Act Shall sett up and expose such Estates to Sale by way of Public Vendue in the Presence of one Justice of the Peace, and the produce Arising by such Sale shall be by the said Sheriffs in Manner following paid and satisfied (that is to say) after Satisfaction of the aforesaid Imprisonment Fees that the Estate and Interest of the aforesaid Prisoners respectively upon which their Judgment Creditors or any Claiming or that shall claim under them by Assignment or otherwise have or Shall have any Lien or the Produce thereof Shall be in the first Place after Satisfaction of the Sheriffs as aforesaid applied to the Discharge of the said Creditors according to the order and priority of their Judgments and the Lien Arising therefrom and that the residue of the Estate

[Notice to
be given of
the sale of
the Prisoners
Estates, &c]

Liber H. S. and Interest of the said Prisoners respectively or the Produce
 No. 1 thereof Shall be distributed among all their Creditors that Shall
 apply therefor Within thirty days after the aforesaid Sale in equal
 Proportion to their Demands

[Bonds, &c,
 belonging to
 the Prisoners
 to be
 assigned to
 the Sheriff]

And be it further Enacted That all the Accounts Bonds Notes
 and other Demands which any of the said Prisoners have against
 any Person or Persons whatsoever Shall be by the said Prisoner or
 Prisoners Assigned to the Sheriff in Whose Custody such Prisoner
 or Prisoners Shall be at the Time of their Discharge and that
 Sheriff or Sheriffs shall and may maintain an action or actions on
 such Demands as Assignee of such Prisoner or Prisoners in his
 own name Provided always that such Creditor or Creditors require
 and Demand Such Sheriff to Sue and give to Such Sheriff a Bond
 to Indemnify him against any Charge that may Accrue to him by
 means of any such Suit and in Case of recovery that then the
 Sheriff make distribution of what Shall be recovered to the Person
 or Persons giving him Such Security as aforesaid

[Prisoners,
 if Single, to
 be sold for
 Five Years]

And be it Enacted by the Authority aforesaid that if any of the
 Persons intended to be relieved by this Act are and Shall be of
 Sufficient ability of Body to Labour such Person or Persons not
 having a Wife or Family Shall be and are hereby Obligated to Serve
 for a Time not exceeding five years to any Person or Persons who
 are or Shall be inclined to purchase the time or Servitude of such
 Debtor or Debtors and that the respective Sheriffs in whose Custody
 the aforesaid Debtors or any of them are be and are hereby Author-
 ized and Obligated to Summon two Justices of the Peace in the
 respective Counties at the request of the said Persons as soon as
 Conveniently may be after the receipt of this Act and after giving
 five days Notice at the Court Houses of the respective Counties of
 the intended sale of such Debtor or Debtors expose to Sale in the
 Presence of the said Justices such Debtor or Debtors and the time
 of his or their Servitude to the highest Bidder and the Money
 arising from such sale Shall be as effects of such Debtor or Debtors
 in the hands of the respective Sheriffs Subject as aforesaid to a
 Distribution in manner aforesaid and the Sale and Service of Such
 Debtor or Debtors as aforesaid is hereby directed to be taken as a
 full and Sufficient Acquittal and discharge against all Debts due
 from such Debtor or Debtors before such Sale Provided that in
 case it Shall appear to the Satisfaction of the said Justices that
 any of the said Debtors have offer'd Since their Confinement to
 make Satisfaction to their Creditors by Servitude and that their
 Creditors have refused to accept the same that the time such Debtors
 have been confined in Prison shall be deemed and Taken as part of
 the aforesaid five years and that they Shall be Obligated to Serve
 only for Such time as will compleat five years from the day of
 their Commitment to Prison and that in Case any Such Single
 Persons as aforesaid have been Confined in Prison for five Years

or any Longer, Time that the said Persons so Confined Shall be discharged upon the Same Terms and in the same manner that persons having Familys are by this Act directed to be discharged.

Liber H. S.
No. 1

May 27th 1766
read and Assented to
by the Lower House of
Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will This be a Law
Hor.^o Sharpe

May 27th 1766
Read and Assented to
By the Upper House of
Assembly
Signed by Order
U Scott Cl. Up. Ho:

The great Seal
in Wax Appendant

No. 4 An Act directing a Copy of the last Will and Testament of Brigadier General Bouquet to be recorded in the Prerogative Office of this Province and for Other Purposes therein mentioned [A Private Act]

Whereas Colonel Frederick Haldimand by his Petition to the present General Assembly of this province hath set forth that Brigadier General Henry Bouquet late deceased did at Philadelphia in the Province of Pensylvania on the Twenty fifth day of June in the Year of our Lord One thousand Seven hundred and Sixty five in and by his last Will and Testament in Writing in due form of Law executed constitute and Appoint the said Colonel Frederick Haldimand his Heir or Executor and did give and bequeath unto him the said Frederick Haldimand all and every thing which he might die possessed of in North America without Exception upon Condition of paying all his the said deceased's just Debts and Legacies and among other things his Lands tenements and Hereditaments in this Province and directed thereby the Tract of Land called Long Meadow enlarged Scituate in Frederick County in this Province to be sold with the Saw Mill Tan Yard Houses Tenements and Appurtenances for the Payment of his the said Deceasd's Debts and Legacies as by a Copy of the said last Will and Testament certified by Benjamin Chew Esquire Register General for the Probate of Wills and granting Letters of Administration in and for the Province of Pensylvania doth appear the original Will aforesaid now being and remaining registered and recorded in the office of the said Register General and Whereas in the said Petition it is also set forth that in as much as the aforesaid original Will is lodged and deposited in the Office of the aforesaid Register General in Pensylvania the said Petitioner may be laid under some Difficulty in complying with and executing the Intent and Purpose of the said Will unless the Same be removed by an Act of Assembly of this Province Vesting all the Estate right title and Interest which Was vested in and belonged unto the aforesaid Henry Bouquet deceased both at Law and Equity into and of all Lands tenements & Hereditaments in this Province with their Appurtenances in the Said Frederick Haldimand according to the true intent and Meaning of the aforesaid Henry Bouquet in his aforesaid Last Will

p. 601

Liber H. S.
No. 1

and Testament expressed are contained & the aforesaid Copy of the said last Will and Testament rectified as aforesaid be received into and recorded in the Prerogative Office of this Province and a Copy under the Seal of the said Office Attested be from time to time and at all times hereafter deemed taken and received as good and Sufficint evidence in all Courts Within this Province in all Respects and in the same Manner as it Would or might be in case the aforesaid last Will and Testament has been proved and recorded in the said Office according to the Laws and practice of this Province and whereas it Appears reasonable and expedient to this General Assembly to grant the request and Prayer of the said Petitioner. Be it therefore enacted by the right Honourable the Lord Proprietary by and With the Advice and consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same that All the Estate right Title and Interest Which was vested in and belonged unto the aforesaid Henry Bouquet deceas'd both at Law and in Equity into and of all Lands tenements and Hereditaments in this Province with their Appurtenances be and hereby is vested in the aforesaid Colonel Frederick Haldimand according to the time intent and Meaning of the aforesaid Henry Bouquet in his said last Will and Testament expressed or contained and that the aforesaid copy of the said last Will and Testament certified as aforesaid be received into and recorded in the Prerogative Office of this Province and that a Copy of the Record thereof attested under the Seal of the said Office Shall be from time to time and at all times hereafter and in all respects deemed taken and received as good and Sufficient Evidence in all Courts within this Province in the same Manner as it Would or might be in Case the aforesaid Original last Will and Testament had been proved and recorded in the said Office according to the Laws and Practice of this Province. Provided allways and it is hereby enacted that Nothing in this Act contained Shall be construed or in any Wise intended or taken to vest in or give unto the said Frederick Haldimand any greater, or Other Estate right Title or Interest in of or to any Lands Tenements or Hereditaments Within this Province than is or was in and by the said last Will and Testament of the said Henry Bouquet meant or intended to be vested in given or bequeath'd unto the said Frederick Haldimand any thing here in before contained to the Contrary in any wise notwithstanding

May 27.th 1766
Read and Assented to
By the Lower House of
Assembly
Signed p Order
M Macnemara Cl lo ho

on behalf of the right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law
Hor.^o Sharpe

May 27.th 1766
Read and Assented to
By the Upper House of
Assembly
Signed p Order
U Scott Cl: Up: Ho.

The Great Seal
in Wax Appendant

No. 5 An Act for Tryal of all Matters of Fact in the Several Counties Where they have Arisen or Shall Arise

Liber H. S.
No. 1
p. 602
[Preamble]

Whereas the Tryal of Facts in the Neighbourhood Where they Arise is the greatest Security of the Lives Liberties Fortunes and Estates of the Subjects most agreeable to the British Constitution and a very great Ease to all Persons concerned and that the Increase of Business in the Provincial Court renders the Decision of Causes there without very great Delay and expence impracticable.

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower houses of Assembly and the Authority of the Same That any two Justices of the Provincial Court (Such as the Governor or Commander in Chief for the time being Shall think fit to Appoint) Shall be Justices of Assize nisi Prius and Justices of Oyer and Terminer and Goal Delivery on each Side of the Bay and that the said two Justices or one of them In case of Sickness or other Inability of the Other Shall and may at the respective Times in this Act mentioned hear and try all Matters of Fact in all Actions real personal and mixt and all Actions popular for the Breach of any Law now depending or that Shall be commenced in the Provincial Court in the Several Counties where the Facts have arisen or Shall arise except in such Causes Where it Shall appear that Justice cannot in all Probability be so equally Administered to the Parties as if Tryal Should be Appointed in Some other Place as fully and Amply as any Justices of Assize & Nisi Prius in England used or by Law ought or may try hear and determine and that all Treasons Murders Felonies and other Crimes Offences and Misdemeanours of what nature or Quality Soever that have been or by Law might be tried in the Provincial Court Shall be heard tried and determined by the Said Justices in the Several Countys Where they Shall be Committed as fully and Amply as the Said Offences or any of them might have been tried heard and determined by the Provincial Court or any Court of Oyer and Terminer and Goal Delivery According to the Laws of England and this Province

[Two Provincial Justices, on each Side of the Bay, to hear and determine all Matters of Fact, &c. in the several Counties]

Provided always that Nothing in this Act Shall be construed to divest the County Courts of any Jurisdiction they have and that they may hear and determine all Matters and things Within their Cognizance as they have heretofore done any thing in the Act to the Contrary Notwithstanding

[Jurisdiction of the County Courts]

And be it Enacted that two of the Provincial Justices to be Appointed as aforesaid to Serve on the Western Shore or one of them in Case of the others Sickness or Inability Shall Yearly meet and hold their Courts at Baltimore County Court House on the first Tuesdays of April and September at Annapolis for Ann Arundel County the Mondays after the said first Tuesdays At Calvert County

[Times and Places, when and where the Assizes are to be held]

Liber H. S. Court House the Mondays after the Second Tuesdays of the said
 No. 1 Month At Saint Marys County Court House the Thursdays after
 p. 603 y.^e third Tuesdays in the said Months At Charles County Court
 House the Mondays after the third Tuesdays in the said Month
 At Prince Georges County Court House the Thursdays after the
 Fourth Tuesdays in the said Months And at Frederick County Court
 House the Wednesdays following And that two of the Provincial
 Justices to be appointed as aforesaid to Serve on the Eastern Shore
 or one of them in Case the other Should be Sick or incapable to
 Attend Shall meet and hold their Courts at Worcester County
 Court House on the Thursdays before the First Tuesdays in the
 months of April and September yearly, At Somerset County Court
 House on the First Tuesdays of the said Months yearly, At Dor-
 chester County Court House the first Mondays after, At Talbot
 County Court House the Thursdays after the Second Tuesdays At
 Queen Ann's County Court House the Wednesdays after the third
 Tuesdays, At Kent County Court House the Mondays after the third
 Tuesdays in the same Months And at Cecil County Court House
 the Fridays following to hear determine and dispatch such Business
 as shall be before them

[Declaration
 to be filed in
 Thirty days
 after Ap-
 pearance
 Court]

And be it further Enacted that in all Actions now depending in
 the Provincial Court Where the General Issue or Other Plea tending
 to an Issue on the Country is pleaded the Issues Shall be made up
 and completed by the first day of August next and that all Declara-
 tions in Actions to be commenced in the Provincial Court Shall be
 filed With the Clerk within thirty Days after every Appearance
 Court and the Issue made up where the General Issue or other Plea
 tending to an Issue on the Country Shall be Pleaded Shall be made
 up Within thirty days after the fileing the Declaration but where
 Special Pleadings are necessary the Court upon Motion may grant
 Such Time as may be thought reasonable and that the Plaintiff in
 every Cause to be tried before the said Justices Shall give the
 Defendant or his Attorney Notice in Writing fourteen Days before
 the first Tuesdays in April and September Yearly of his Intention
 to Insist on a tryal and that if after such Notice given the Causes
 Shall be delayed untill another Assizes the Party causing Such
 Delay Shall pay all the Cost and Charge that Shall be occasioned
 thereby

[Grand and
 Petit Juries
 to be sum-
 moned Ten
 Days before
 the Assizes
 begin]

And be it Enacted that the Several Sheriffs shall Summons fifty
 of the most capable and Substantial Freeholders Within their Baili-
 wicks Ten Days before the Assizes Shall begin in the respective
 Counties as grand and Petit Jurors and that every Freeholder that
 Shall be so Summoned and Shall neglect or refuse to Appear Shall
 incur the same Penalties and Forfeitures as Jurors Summoned to
 Attend the Provincial Court are liable to rating Tobacco at Ten
 Shillings p hundred and that no Person that is not incapable or

disqualified by Law to Serve as a Juror Shall have any Exemption except Counsellors practicing, Attorneys Delegates Provincial Justices Clergymen and Practising Phisicians or Surgeons nor Shall Grand Jurors be exempt from Serving as Petit Jurors in Civil Cases at the same Assizes of Oyer and Terminer and Goal Delivery they are returned to Serve in and every Grand and Petit Juror Shall have an Allowance of Twenty four Pounds of Tobacco for every Days Attendance to be Assessed in the County Levy as usual besides the full fees for Verdicts in Civil Cases to the Petit Jurors And to Prevent Partiality by Grand Jurors

Liber H. S.
No. 1

Be it Enacted that the Name of every Person Summoned as a Juror Shall be Written in Several distinct pieces of paper being as near as may be of equal Size and Bigness and Shall all be delivered to the Clerk of Assize or Such other Person as the said Justices Shall appoint and by the Care of the Clerk or such Person as Shall be appointed as aforesaid all rolled up as near as may be in the same Manner and put into a Glass or Box to be provided for that purpose and that the said Justices in Open Court Shall direct to be drawn by some indifferent Person out of the said Glass or Box a Sufficient number for a Grand Jury and that Such Persons as Shall be drawn and then appear shall be Grand Jurymen and none others

p. 604
[Manner of
chusing the
Grand-
jurors]

Provided that in case any of the County Majistrates or their Clerk Should be drawn they Shall not be of the Grand Jury but that Others Shall be drawn in the Place of any Magistrate or County Clerk that Should happen to be drawn

[Magistrates
not to be
Grand-
jurors]

And to prevent partiality in Tryals by Jurors Be it Enacted that the name of each and every Person Who Shall be Summoned and Impannelled as a Petit Juror Shall be Written in Several distinct Pieces of paper being as near as may be of equal Size and Bigness and Shall be delivered to the Clerk of Assize or such other Person as the said Justices Shall appoint and by the Care of the Clerk or such Person as Shall be Appointed as aforesaid be all rolled up as near as may be in the same manner and put into a Glass or Box to be Provided for that Purpose and When any Cause Shall be Brought on to be tried Some indifferent Person by direction of the Court may and Shall in open Court draw out Twelve of the said Papers one after another and if any of the Person's Whose names Shall be so drawn Shall not appear or be Challenged and set aside then such further Number until the twelve Person's Shall be drawn Who Shall Appear and after all Causes of Challenge Shall be Allowed as fair and indifferent and the said twelve Person's so drawn and Appearing and Approved as in different their names being marked in the pannel and they being Sworn Shall be the Jury to try the Same cause and the names of the Person's so named and drawn and Sworn Shall be kept in some other Glass or Box to be kept for that purpose til Such Jury Shall have given in their Verdict and

[Manner of
chusing the
Petit Jury]

- Liber H. S. the same is recorded or until Such Jury Shall by Consent of Parties
 No. 1 or Leave of the Court be discharged and then their Names Shall be
 rolled up again and returned to their former Box or Glass there to
 be kept With the Other Names remaining at that time undrawn
 and so as often and as long as any Cause Shall remain then to be
 tryed Provided always that if any Cause Shall be brought to Tryal
 before the Jury in any other Cause Shall be brought to Tryal before
 the Jury in any other Cause Shall have brought in their Verdict or
 be discharged it Shall and may be lawfull for the Court to Order
 twelve of the Residue of the said Papers not containing the Names
 of any of the Jurors Who Shall not have brought in their Verdict
 or be discharged to be drawn in Such Manner as is aforesaid for the
 tryal of the Cause Which Shall be so brought on to be tryed And
 to the End that the Sheriffs may be Obligated to discharge their duty
 in returning the best and most Capable Freeholders to be Jurymen
 Be it Enacted that every Sheriff Who Shall neglect to return the
 best and most capable Freeholders for Grand and Petit Jurymen
 except as before excepted Shall for every Such Neglect be fined by
 the Justices of Assize at their Discretion not exceeding Twenty five
 Pounds Current Money of Maryland to be applied to defray the
 County Charge
- [Sheriffs to
 be fined for
 neglecting to
 return proper
 Persons for
 Jurors]
 p. 605
- [Judges
 Allowance] And be it Enacted that each Justice of Assize Shall be allowed by
 the Publick Seven Thousand Pounds of Tobacco to be paid in the
 Counties respectively where they reside for every Circuit and no
 more
- [Justices im-
 powered to
 make Rules
 and Orders] And be it Enacted that it Shall and may be lawfull for the Said
 Justices to make all Such rules and Orders as may be convenient and
 necessary for the furtherance of Justice and right and to impose
 reasonable fines and penalties upon Such as Shall Transgress them.
 Provided always that Such Rules Shall be agreeable to the Laws of
 England and this Province, and that all Sheriffs Bailiffs and other
 Officers and Persons Whatsoever Shall Yield due Obedience to all
 Process Warrants and Precepts that Shall be Issued by or returnable
 to the said Justices
- [Special
 Verdicts] And be it Enacted by the Authority advice and consent aforesaid
 That the Justices of Assize nisi Prius and Goal Delivery Shall in
 all civil Cases to be tried before them Where any Person concerned
 Shall desire the same allow and direct Special Verdicts to be found
- [Bills of
 Exception
 allowable] And be it further Enacted that the said Justices Shall in all
 Criminal Cases to be tried before them where Any Person or Persons
 Accused or Prosecuted Shall desire the Same Sign and allow Bills
 of Exception and that in all Cases where Bills of Exception are
 allowed no Judgment Shall be rendered until the next Provincial
 Court to the Consideration of which Court it is to be referred any
 Law Usage or Custom to the Contrary Notwithstanding
- [Where the
 Justices are
 doubtful,
 Judgment to
 be referr'd
 to the
 Provincial
 Court] And be it further Enacted that where any general verdict Shall
 be found in any Criminal Case against any Person before the said

Justices Wherein the Judgment is not Certainly known and Settled by Law or Wherein the Said Justices or either of them Shall be in any Doubt or under any Difficulty What Judgment to give upon such Verdict that then and in Such Case no Judgment Shall be given but that the Judgment be referred to be given on Such verdict to the Consideration of the Provincial Court Who Shall and may give Judgment

Liber H. S.
No. 1

And to the End that the Justices of Assize nisi Prius Oyer and Terminer and Goal Delivery may not be hindred from Proceeding in the Decision of matters not Determined else Where (which the time allowed by Law for their Session is hardly Sufficient to dispatch) in hearing Petty Offences triable in the County Courts Be it Enacted that all Felonies Trespasses and other evil Deeds triable in the County Court's by the Laws now in being Shall be tried heard and determined by the County Courts and not else Where, except Affrays and Other Offences to be Committed in the View of the Justices of Oyer and Terminer Or during their Sitting, Provided always and be it Enacted by the Authority aforesaid that it Shall and may be Lawfull for the Justices of the Provincial Court for the Expediting the Causes to be tried before them to Order the Sheriff of Ann Arundel County immediately to Summon a compleat and Sufficient number of Good and lawfull Men De Circumstantibus and not less than Twenty four in Number to Serve as Jurors and return a Pannell of them for the Trial of any Issues so to be had and tried before the said Justices of the Provincial Court and that they Shall be balloted in the same Manner that Petit Jurors are before by this Act directed to be at the Assizes and that the first twelve Jurors that Shall be drawn Shall be the Jury to try the Cause unless some legal Exception by either Plaintiff or Defendant be made against any of the said Twelve Jurors in Which Case other in their Room Shall be in like Manner drawn in the Stead of those to Whom legal exception Shall be made Provided that where any Presentment Shall be found by the Grand Jury at any Court of Oyer and Terminer for a Matter triable by the County Court and that Shall by the Justices of Oyer and Terminer be referred to the County Courts for trial the Party Presented Shall not be Obliged to pay any Fees or Charges except what Shall arise in the Prosecution in the County Court any law Usage or Custom to the contrary notwithstanding Saving to all Person's Accused before the Justices of the County Courts the benefit of Writs of removals to and tryals in the Provincial Courts or before the Justices of Oyer and Terminer and Goal Delivery

[Matters determinable in the County Courts, to be tried in the County Courts]

[Sheriff of Anne Arundel County to return 24 persons out of whom is to be impannelled a Jury]

p. 606

And Whereas by an Act for the Advancement of Justice it is Provided and enacted that in all Actions to be commenced in the Provincial Court for the recovery of any certain Sum of Money or Tobacco Within the Jurisdiction of that Court Wherein the Plain-

Liber H. S. tiff Shall be desirous of a Speedy Trial that if the Plaintiff Should
 No. 1 Send a Copy of the Declaration in the Case With the Writ and Cause
 the same to be served on or delivered to the Defendant or left at his
 or her last Place of abode twenty days At the Least before the
 Appearance Court it Should be lawfull for the Justices of the said
 Court and they are by that Act required to Proceed to tryal the
 same Court and if the Defendant Should refuse or neglect to Answer
 or Plead to render Judgment for the Plaintiff With Cost of Suit
 unless Sufficient Cause Should be Showed by the Defendant Why
 there Should be an Imparlance and that as Jurors are not Sum-
 moned to the Provincial Courts but the facts tried in the Several
 Counties Where they have arisen or Shall arise So that When the
 Defendant Pleads any matter of Fact triable by a Jury the Issue
 Cannot be tried at the Appearance Court Be it therefore Enacted
 and declared that where Copies of declarations are Served or left
 According to the direction of this Act and no Sufficient cause Shewn
 for an Imparlance and that the Defendant Should Plead a matter
 of fact Which is required to be done at the Appearance Court that
 then and in such Case the Fact Shall be tried at the first Assizes
 that Shall happen after the Appearance Court in the County Where
 the Fact hath Arisen or Shall arise, any Law usage or Custom to
 the Contrary Notwithstanding

[Where the
 Cause is to
 be tried
 when no
 Occasion ap-
 pears for an
 Imparlance]

[Affidavit of
 Witnesses
 unable to
 attend the
 Assizes, as
 valid as if
 the Deposi-
 tion of such
 witnesses
 was person-
 ally given in
 Court]

And Whereas Justice may be delayed or People lose their Rights
 for Want of the Testimony of Witnesses Who may happen to be
 so Sick or Impotent as to be unable personally to Attend the tryal
 of Causes to give their Evidence Viva Voce Without Apparent
 Hazard of their lives or Health Be it therefore Enacted by the
 Authority advice and Consent aforesaid that where any Witness
 Shall be Summoned by any Plaintiff or Defendant and Shall be
 really so impotent Sick or Infirm that he or She Shall be unable
 to Attend According to Such Summons without the Apparent
 Hazard of the Life or Health of Such Witnesses (to be made
 Appear to the Satisfaction of the Court) that then and in every
 Such Case, the Party Summoning Such Witness may have the
 Affidavit on Oath or Affirmation if the Witness be a Quaker of Such
 Sick or Impotent Witness taken before any Magistrate not being
 of Kin to the Parties and that any Affidavit so taken (the Adverse
 party always haveing timely Notice and Opportunity to Cross ex-
 amine Such Witnesses) Shall be received as evidence on the Tryall
 of the Cause Wherein Such Witness Shall be Summoned as if the
 Witness Was Present and Should deliver his or her Testimony Viva
 Voce any Law Custom or usage to the Contrary notwithstanding
 Provided always that if any Such Witness Shall wilfully and cor-
 ruptly Swear or Affirm falsely that then and in every such Case He
 or She Shall be liable to the Same Prosecution Penalty and For-
 feiture as Persons guilty of or committing corrupt and Wilfull
 Perjury are liable to

And be it further Enacted that the Provincial Courts Shall be held during the Continuance of this Act on the third Tuesdays in May and October Yearly at the City of Annapolis

Liber H. S.
No. 1
[Time of
Provincial
Courts.]
[Part of
an Act
repealed]

And be it further Enacted by the Authority Advice Consent aforesaid that that part of an act of Assembly Entitled an Act causing Grand and Petit Jurors to come to the Provincial and County Courts and Ascertaining their Allowances made at a Session of Assembly begun and held at the City of Annapolis the Twenty Sixth Day of April Anno Domini Seventeen hundred and fifteen Which relates to Summoning Grand and Petit Jurors to Attend the Provincial Courts be and is hereby repealed and made void,

And be it further Enacted by the Authority Advice and Consent aforesaid that the Secretary for the time being Shall cause every record that Shall be Ordered by any Attorney of the Provincial Court to be made Out for the Tryal of any Issues at the Assizes to be transmitted to the Clerk of Assize of the Circuit Where the Issue is to be tried (Who by this Act is Obliged to receive and carry the same to the Circuit) before the Assizes for that Shore Where the Issue is to be tried begins under the Penalty of Paying to the Party that suffers for Want of the record being transmitted Such Costs and Damages as Shall by the Justices of his Lordships Provincial Court judicially Sitting be Ordered and Adjudged Which said Justices are hereby upon Complaint made to them required after a Summary Manner to Proceed to Judgment thereon Provided always that the Secretary Shall not be Obliged to Answer any Damages or Cost to any Person by Virtue of this Act unless Orders in Writing for transmitting the Record as aforesaid be left with the Clerk of the Provincial Court at least thirty days before the beginning of the Assizes on the Shore Where the Issue is to be tried

[Duty of the
Secretary in
Regard to
Records]

[Proviso]

And be it likewise Enacted that the several Allowances herein before mentioned to be made to the Judges and Jurors in Tobacco Shall and may be paid by the Inhabitants of this Province in Current money in the same Manner as other Publick and County Levies and Charges are Payable,

[Allowance
to Judges,
&c. May be
paid in
Money]

Provided always and be it Enacted that the said Provincial Court Shall and may meet according to the Adjournment thereof on the twenty first day of July next and Shall and may then adjourn from day to day and Proceed in all Business Civil and Criminal depending in the said Court and all Officers Jurors and other Persons Who are Obliged to Attend the said Adjourn'd Provincial Court Shall be then Obliged to Attend the Same in like manner and under the Same Penalties as if this Act had not been made any thing herein contained to the Contrary Notwithstanding

[The ad-
journ'd Pro-
vincial Court
to meet on
the 21st of
July]

p. 608

And be it further Enacted that all Actions now depending in the Adjourned Provincial Court of What Nature Soever that Shall not

[Writs, &c.
returnable,
to be re-
turn'd in
October]

Liber H. S. be ended and determined before the end of the said Court Shall
 No. 1 be and are by this Act continued until the third Tuesday in October
 next and that all Writs Process and Precepts already Issued or to
 be issued out of the Provincial Court returnable to the Second
 Tuesday of September Shall be returnable to the said Third Tuesday
 in October and that all Sheriffs Coroners and other Officers that
 have Arrested or Shall arrest any Person or Persons by Virtue of
 any Writ or Process returnable to the Second Tuesday of September
 Shall be under the same Obligation to have the Party arrested at
 Annapolis the third Tuesday in October and that all Bail Bonds taken
 by any Sheriff or Coroner for the Appearance of any Person or
 Persons at the Second Tuesday in September next Shall be taken
 to all Intents Constructions and Purposes Whatever and be of the
 same Force and Effect as if the said Bail Bonds had been or Shall
 be taken for the appearance of such Person or Persons at the said
 third Tuesday in October next any thing to the Contrary hereof
 notwithstanding

[Witnesses And Whereas Since the Commencement of April Term aforesaid
 bound over Sundry Persons have been Committed for Crimes and Misdemean-
 since last ours by them done and Witnesses have been bound over to Testify
 Provincial against Such Persons at next Provincial Court Be it therefore
 Court] Enacted that all Such Commitments and Recognizances returnable
 before the said Provincial Court Shall be Obligated to be returned
 by the respective Magistrates taking Such Recognizances before
 the Judges of Assize in the respective Counties Where the Offences
 have been Committed and the Offenders and Witnesses be Obligated
 to Appear by Virtue of Said Recognizances accordingly This Act to
 [Continu- Continue for Three Years and unto the End of the next Session of
 ance] Assembly Which Shall happen after the Expiration of the said
 three years

May 27 th 1766	} On behalf of the Right Honourable the Lord Pro- prietary of this Province I will this be a Law Hor. ^o Sharpe	27 th May 1766
Read and Assented to By the Lower House of Assembly		Read and Assented to By the Upper House of Assembly
Signed p Order M Macnemara Cl lo ho		Signed p Order U Scott Cl. Up: Ho.

The great Seal
in Wax Append.^t

No. 6 A Supplementary Act to the Act entituled an Act for the Speedy
 Tryal of Criminals and Ascertaining their Punishment in the
 County Courts When Prosecuted there and for Payment of Fees
 due from Criminal persons for Preventing all Doubts for the
 Future

p. 609
 [Fees for
 Slaves to be
 paid by the
 respective
 Counties]

Be it enacted and declared by the Right Honourable the Lord
 Proprietary by and With the advice and Consent of his Lordships
 Governor and the Upper and Lower Houses of Assembly and the

Authority of the same That all legal Fees Which have arisen and are not already otherwise paid and allowed or Which Shall hereafter arise on the Prosecution of any Negro or other Slave in any County Court Whether Such Slave be convicted or acquitted Shall be chargeable to and Paid by the respective County Where Such Prosecution Shall be had and assessed in the County Levy of Such County,

Liber H. S.
No. 1

1766 May 27th Read and Assented to By the Lower House of Assembly Signed p Order M Macnemara, Cl lo ho	On behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law Hor.^o Sharpe	27th May 1766 Read and Assented to By the Upper House of Assembly Signed by Order U Scott Cl. Up. Ho:
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The Great Seal
in Wax Appendant

No. 7 An Act for reviving and continuing of Actions and Process in Several of the Courts of Law Within this Province

Be it Enacted by the Right Honourable the Lord Proprietary by and With the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That all and every Action Suit Process and Proceeding Which were depending in the high Court of Appeals held the third Tuesday of February last or Which were depending on the Tryal Continuance or Imparlanse Dockett or on Amercement in any of the County Courts of Saint Mary's, Charles, Ann arundel, Calvert, Baltimore, Prince Georges, Kent, Talbot and Dorchester Counties held in November or March last, and Which Were not then determined Shall be and are hereby revived and Continued, That is to say the said Actions Suits Process and Proceedings in the Court of Appeals until and to the Court of Appeals to be held on the third Tuesday of October next, and those in the said County Courts untill and to the next June Court of such County respectively all every of Which Actions Suits process and Proceedings Shall Stand remain and be in the Same Plight Quality and Condition to all Intents and Purposes at the respective Courts hereafter to be held as aforesaid as the same were in at the respective before mentioned Courts and Times now past, and the Several Courts aforesaid may and Shall respectively proceed in, hear try and Determine each and every of the said Actions and Suits in the same manner that Such Courts of Law might have legally done at the aforesaid Courts and Times now past as aforesaid any discontinuance or want of Continuance of all or any of the said Actions Suits Process and Proceedings Notwithstanding.

[Actions, Suits, Process, &c. heretofore depending, Revived and Continued]

And be it further enacted That all Writs of Replevin and Writs of Attachment for Attaching Lands Tenements Goods Chattels Rights or Credits or any of them returnable to the November or

[Writs of Replevin, &c., returnable last November, Made returnable to June]

Liber H. S. March Courts now last past in any of the said Counties and Which
 No. 1 have been Actually executed Shall be and are hereby revived and
 p. 610 Continued and Shall be returnable and returned to the next June
 Court of the County Where the same hath been executed and in and
 upon Such Replevins and Attachments the said County Courts re-
 spectively shall and may Proceed hear and determine in the same man-
 ner as such Courts might have done at the respective Courts to Which
 the same Writs of Replevin and Attachment were returnable

[Criminal
 Process in
 Baltimore] And be it further Enacted That all Criminal Process and Pro-
 ceedings Which Were depending in or returnable to Baltimore
 County November or March Court last and Still remain undeter-
 mined Shall be in the same Situation State and Condition at the
 next June Court to be held for Baltimore County and the Justices
 of the said County Court for the time being Shall and may then
 proceed to the Hearing and determining or further Continuing and
 thereafter hearing and determining the said Criminal Process and
 Proceedings respectively as the Case may require as fully and
 effectually as the Justices of the said Court could or might lawfully
 have done at the County Court of the said County in the said Months
 of November or March last any discontinuance or any other Matter
 or thing to the Contrary Notwithstanding

[Proviso] Provided always that this Act nor any thing herein contained Shall
 revive or Continue any Writ of Capias ad Respondendum or any
 Writ of Capias ad Satisfaciendum returnable in any of the said
 County Courts in the Month of November or March last nor Shall
 any of the said Actions or Suits Which were depending in any of
 the said Courts of Law and Which are now abated or Abateable
 by the Death of any Party thereto be revived or Continued by
 Virtue of this Act. And it is hereby declared that all Writs Precepts
 and Process may and Shall Issue returnable to Baltimore County
 Court at Joppa the first Tuesday of June next and Tested the last
 Day of the last Sitting of that Court in the same Manner and of
 the same force and Effect as if that County Court had regularly
 Adjourned from November to March and again had met pursuant
 to Such Adjournment.

[Actions in
 Frederick] And be it further Enacted That all Actions Which Were depend-
 ing in Frederick County November Court last in Which any non-
 pros Discontinuance or Judgment hath been entered in the Ab-
 sence of the Attorney or Attornies of the Plaintiff or Defendant
 against Whom Such nonpros Discontinuance or Judgment hath
 been entered Shall at the request and on the Prayer of such Plain-
 tiff or Defendant respectively by him or herself in Person or by
 his or her Attorney or Attornies at Frederick County June Court
 next be revived and Continued to the same June Court and Shall
 then remain Stand and be in the same State and Condition as
 such Actions respectively were at November Court aforesaid and

Shall be Tryed heard and determined as if no Nonpros discontinuance or Judgment had therein been entered or happened Any thing to the Contrary Notwithstanding

Liber H. S.
No. 1

Provided always and be it enacted that this Act nor any thing herein Contained shall extend or be construed to Charge or make liable the Bail in any Action in any of the County Courts aforesaid Which hath been discontinued and is by this Act revised and Continued Where the Principal after the first day of November last and before the Making this Act hath Actually absconded or removed out of the County where Such Action was depending or the Bail or Sureties bound by recognizance for the Appearance of any Person or Persons Criminally Prosecuted at the said Baltimore County November or March Courts and on Which Recognizance no default was then entered but in such Cases such Bail and Sureties Shall be and are hereby discharged any thing to the Contrary Notwithstanding

[Proviso,
with regard
to Bail]

p. 611

And be it further Enacted That, all that Space and Time from the first day of August Seventeen hundred and Sixty five to the first Day of June Seventeen hundred and sixty Six inclusive Shall not run be had reckoned or estimated as part of the Time limited for the bringing or Prosecuting any Action or Suit or of the year and day limited for the Issuing Executions on Judgments and that this Act Shall and may be taken Advantage of in bar of the Act of Limitation Without any Special Replication any thing to the Contrary hereof Notwithstanding,

[From the
first of
August past,
to the first of
June next,
not to be
reckoned in
the Time of
Limitation,
&c.]

And be it further enacted that the said County Courts of the Counties herein before mentioned May in their Discretion Continue any of the said Actions hereby revived and Continued in the said Courts respectively, and which by the Laws now in being cannot be continued longer than till the next June Court of the said Counties until the next August Court, of such Counties respectively anything to the Contrary Notwithstanding

May 27th 1766
read and Assented to
By the Lower House of
Assembly
Signed p Order
M Macnemara Cl lo ho.

On behalf of the Right
Honourable the Lord Proprietary of this Province
I Will this be a Law
Hor.^o Sharpe

May 27th 1766
Read and Assented to
By the Upper House of
Assembly
Signed by Order
U Scott Cl. Up. Ho.

The great Seal
in Wax Appendant

No. 8 An Act to enable the Vestrymen and Church Wardens of Saint Pauls Parish in Baltimore County to nominate and recommend Inspectors for Baltimore Town Warehouse

Whereas it is represented to this General Assembly that the Vestrymen and Church Wardens of Saint Paul's Parish in Baltimore County have Omitted to make the usual Recommendation required

[Preamble]

Liber H. S. by Law of Inspectors to officiate at the Warehouse at Baltimore
No. 1 Town,

[Vestry of St. Paul's, to choose Inspectors] Be it Enacted by the Right Honourable the Lord Proprietary by and With the Advice and Consent of his Lordship's Governor and the Upper and Lower Houses of Assembly and the Authority of the Same That the Vestry Men and Church Wardens of Saint Paul's Parish in Baltimore County or the Major Part of them be and are hereby authorized and required to meet at their Parish Church between the first Day of June and the tenth day of June in the year of our Lord one thousand seven hundred and Sixty Six and then and there after taking the Oath prescribed by the Act entitled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of officers Fees passed in the year of our Lord one thousand seven hundred and Sixty three to nominate and recommend to the Governor & Commander in Chief of this Province for the Time being four able and sufficient Planters well skilled in Tobacco for the Execution of the office of Inspectors at the Warehouse at Baltimore Town aforesaid

p. 612 And be it further enacted by the Authority aforesaid that the said Vestrymen and Church Wardens Shall after the Nomination and Recommendation aforesaid forth With Transmit Certificates of Such [And to transmit Certificates] Nomination and Recommendation to the Sheriff of the said County Who Shall forthwith transmit the same to the Clerk of the Council to be by him immediately laid before the Governor or Commander in Chief, out of Which said four Persons to be so nominated and recommended for Inspectors the Governor or Commander in Chief for the Time being Shall and may appoint by Warrant under his Hand, two Persons to be Inspectors for the Inspection of Tobacco at the Warehouse at Baltimore Town aforesaid Which Persons so Appointed by Warrant by the Governor or Commander in Chief aforesaid Shall after taking such Oaths and giving Such Bond and Security as are required by the said Mentioned Act to be taken and given by Inspectors be and are hereby impowered to exercise and Execute the said Office of Inspectors in the Same Manner and under the same Penalties and Forfeitures as if they had been nominated recommended and Appointed according to the said Act.

[Penalty for neglect] And be it further enacted by the Authority aforesaid That every Vestrymen and Church Warden Who Shall Neglect or refuse not being prevented by Sickness or some unavoidable Accident to meet according to the Directions of this Act to nominate and recommend Inspectors as aforesaid or who being so met Shall omit neglect or refuse to nominate and recommend Inspectors as aforesaid Whereby Inspectors Shall not be nominated and recommended in Pursuance of this Act Shall forfeit and Pay five thousand Pounds

of Tobacco With Costs of Suit for every such Offence to be re-
covered and Applied as Fines and Forfeitures are by the said Act to
be recovered and Applied. Liber H. S.
No. 1

May 27 th 1766 Read and Assented to By the Lower House of Assembly Signed p Order MMacnemara Cl lo ho.	On behalf of the Right Honourable the Lord Pro- prietary of this Province I will this be a Law. Hor., ^o Sharpe	27 th May 1766 Read and Assented to By the Upper House of Assembly Signed p Order U Scott Cl: Up: Ho:
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The Great Seal
in Wax Append.^t

I Do hereby Certify that Reverdy Ghiselin Clerk of the Provincial
Court and Secretary's Office of the Province of Maryland this Day
personally appeared before Me the Subscriber one of the Right
Honourable the Lord Proprietary of the Province of Maryland
his Counsel of State and made Oath on the Holy Evangels of
Almighty God that he carefully examined all the Laws contained
in this Book from Folio 593 to Folio 612 with the Original Acts
that passed the Great Seal.

Sworn to this Day of Anno Dom. 1776.

The Seal of the Provincial Court is hereto affixed on
Behalf of Daniel Dulany Esq:^r Secretary of Maryland.
p Reverdy Ghiselin Cl Prov.¹ Court & Secy's office

SEAL

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, November 1–December 6, 1766.

Being the Fourth Session of the Assembly Elected in

November–December, 1764

FREDERICK CALVERT, LORD BALTIMORE

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis, on Saturday the 1.st day of November, in the Sixteenth Year of his Lordships Dominion, Anno Domini 1766.

U. H. J.
Liber No. 36
1766
Nov. 1
p. 320

Present

His Excellency Horatio Sharpe Esq.^r Governor

The Hon ^{ble}	Benjamin Tasker Esq. ^r	John Ridout Esq. ^r
	Benedict Calvert Esq. ^r	Henry Hooper Esq. ^r
	Daniel Dulany Esq. ^r	

Mess.^{rs} James Holliday and John Hammond, from the Lower House, acquaint His Excellency, that there are a Sufficient Number of Members met to make a House, and wait His Excellencys Commands.

Benedict Calvert and Daniel Dulany Esq.^{rs} are sent to acquaint the Speaker, that His Excellency requires his Attendance, with the Lower House, Immediately.

The Lower House attend, with their Speaker, and his Excellency is pleased to make the following Speech
Gentlemen of both Houses of Assembly

I need not, I flatter myself, at this time assure you, that it is my Desire, on all Occasions, to act agreeably to your Inclinations, and that it is the Heighth of my Ambition to merit your good Opinion, together with the Approbation of those from whom I derive my Authority.

As the Intimation which you, Gentlemen of the Lower House were pleased to give me, when you were last Convened, left me no room to doubt, but you would be glad to meet again at this Season. I resolved to gratify you, and as I persuade Myself you will all endeavour to improve the good understanding, that Subsisted between the two Houses, during the last Session, I have the highest Expectations, that this will be productive of much good to the Province, and make the County ample amends for the expence attending it.

Gentlemen

Having received, from His Majestys Ministers, Copies of several Acts of Parliament, that were lately made in Great Britain for the peculiar Advantage of the Colonies, and are so many Evidences of

U. H. J. Our Most Gracious Sovereigns and the Parliaments Attention to
 Liber No. 36 the Interests and Prosperity of His Majestys American Subjects,
 Nov. 1 I thought it my Duty to Notify the same by Proclamation, and with
 p. 321 pleasure embrace this Opportunity of congratulating you, on the
 happy Turn of Affairs in favour of these Colonies, and the pleasing
 Prospect now afforded Us.

John Ridout and Henry Hooper Esq.^{rs} are sent, with the Clerk
 of this House, to see the Members of the Lower House Qualified,
 by taking the Oath of Abjuration, directed to be taken by the late
 Act of Parliament, who return and report, that they had seen the
 Members of the Lower House, then present, and also their Clerk,
 take and subscribe the said Oath.

Adjourned until Monday Morning 10 of the Clock

Nov. 3 Monday Morning 3^d November 1766.

This House met again according to Adjournment
 Present as on Saturday except M.^r Calvert.
 Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment
 Present as in the Morning

Mess.^{rs} Baker and Hanson attend with M.^r Earle, a Member for
 Cecil County and M.^r Dent a Member for Charles County, to see
 them Qualified who take and Subscribe the Oath of Abjuration
 directed to be taken by the late Act of Parliament and then withdraw.

Adjourned until to Morrow Morning 10 of the Clock

Nov. 4 Tuesday Morning 4.th November 1766.

This House met again according to Adjournment
 Present as Yesterday.

Mess.^{rs} Ringgold and F: Gant attend with Col.^o Rich.^d Loyd,
 and Rob.^t Buchanan, two Members for Kent County, and M.^r
 James Smith a Member for Frederick County to see them Qualified,
 who take and subscribe the Oath of Abjuration directed to be taken
 by the late Act of Parliament and then withdraw.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning
Adjourned until to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 36
Nov. 4

Wednesday Morning 5.th November 1766.

Nov. 5

This House met again according to Adjournment

Present as Yesterday

Mess.^{rs} Parran, Baker and Ware attend with M.^r Thomas Key, p. 322
a Member Elected for S.^t Marys County, to see him Qualified, who
takes the Oaths to the Government, appointed to be taken by Act
of Assembly, and also takes, and Subscribes the Test, and Oath of
Abjuration, directed to be taken by the late Act of Parliament, and
then withdraws, And also with Col.^o Plater a Member for S.^t Marys
County and M.^r Ward for Cecil County, to see them Qualified, who
take and Subscribe the Oath of Abjuration directed to be taken by
the late Act of Parliament and then withdraw.

Read, and referred the Petitions of Alexander Beall and Ann
Gaither Sent by Richard Lee Esq.^r

Read and referred the Petition of the Magistrates of Frederick
County, and also the Petition of the Vestry and Inhabitants of
Chester Parish in Kent County Sent by Daniel Dulany Esq..^r

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Benjamin Tasker Esq..^r attended by the Members of this House,
present to His Excellency, their Address which follows in these
Words.

To His Excellency Horatio Sharpe Esq..^r Governor and Commander
in Chief in and over the Province of Maryland.

The humble Address of the Upper House of Assembly
May it please your Excellency

We, his Majestys dutiful and loyal Subjects, the Upper House
of Assembly, beg your Excellency's Acceptance of our Thanks, for
your obliging Speech at the opening of this Session.

We have the pleasure to acknowledge, that the uniform Tenor of
your Excellencys whole Conduct hath amply evinced your Constant
desire, and Study to promote the Happiness of the People over
whom you preside, and your earnest Solicitude to merit the Regard
and good Opinion of the other Branches of the Legislature, together
with the Approbation of those from whom you derive your Authority,

U. H. J. by Acting Steadily upon this Principle your Excellency has pursued
 Liber No. 36 the best means of effectuating the general Interest.
 Nov. 5

Be assured, Sir, that no endeavours shall be wanting on our Part, to improve the good understanding, that Subsisted between the two Houses during the last Session, and to Manifest our sincere Inclinations to bring this to a happy Conclusion.

p. 323 Sensible, that the Acts of Parliament, referred to by your Excellency, were Calculated to advance the inseparable Welfare, and Prosperity of Great Britain and her Colonies, We take this Opportunity to express the very great Satisfaction the late Measures of Parliament have given Us, and most Cordially receive your Excellencys Congratulations on that Important Occasion

5.th November 1766.

Benj: Tasker President

Adjourned until to Morrow Morning 10 of the Clock

Nov. 6

Thursday Morning 6.th November 1766.

This House met again according to Adjournment

Present as Yesterday

Col.^o Plater and M.^r Key attend with Daniel Wolstenholme a Member for S.^t Marys County, to see him Qualified, who takes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws

Adjourned until 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning.

His Excellency is pleased to Communicate, to this House, his Answer to their Address, which follows in these Words.

Gentlemen of the Upper House of Assembly

I cannot, in Words adequate to what I feel, thank You for your kind and affectionate Address, or express the pleasure it gives me to know, that my Conduct, since I have had the honour to preside here, is approved of by those, whose favourable Opinion it has ever been my Study to merit.

That no Endeavours of yours will be wanting to bring this Session to a happy Conclusion, I am very Confident, and you may, Gentlemen, be assured, that I shall be always ready to concur with the other Branches of the Legislature, in every Measure, that may be proposed for promoting the Welfare and Prosperity of this Province.

The 6.th Nov.^r 1766.

Hor.^o Sharpe

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 7.th November 1766.

U. H. J.
Liber No. 36
Nov. 7

This House met again according to Adjournment

Present as Yesterday.

Adjourned till 3 of the Clock in the Afternoon

p. 324

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

M.^r Henry Holliday attends with M.^r Gibson, a Member for Talbot County, to see him Qualified, who takes and subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament, and then withdraws

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 8.th November 1766.

Nov. 8

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petition of John Beale Bordley, as also the Petition of the following Prisoners Viz.^t Jonathan Hollings, Ratchford Duffield, William Lancaster, William Cumming, William Gudgeon, Samuel Roberts, William Douglass, John McCoy and William Ward of Cecil County, Lambert Wilson, Daniel Morris, James Thompson, James Johnson, Thomas Knock, Patrick Drugan, Murlen Mellan, William Lovegrove, and Edward M^cCann of Kent County, James M^cMordie of Queen Anns County, Anthony Dunlevy, James Clarkson, David Clark, Clement Woodward, John Messick, M.^cKeel Howell, Samuel Alcock and Isaac Cullins of Dorchester County, William Gullet, Edward Fitzgerald, Eleanor Bartlett, Andrew Hemphill, William Miles and Aaron Spears of Somerset County Richard Clark, Richard Scott, and Rob.^t Lamar John Waters, John Davis and Erasmus Bookies of Frederick County, William Jordan of S.^t Marys County, John Duncastle, John Tulford, Ignatius Green Tho.^s Roberts and James Alexander of Charles County, Thomas Goldsmith George Beall, James Fell, and Paul Shields of Baltimore County. Thomas Mobberly, Henry Warman John Adams, and John Seclew of Ann Arundel County. Henry Wells of Calvert County and Solomon Hardy of Prince Georges County Sent by Col.^o Hooper.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

U. H. J.
Liber No. 36
Nov. 8

Present as in the Morning.

Adjourned until Monday Morning 10 of the Clock

Nov. 10

Monday Morning 10.th November 1766.

This House met again according to Adjournment

Present as on Saturday.

p. 325 Read, and referred the Petition of the Officers and Men of Cap.^t M.^cClalans Company, and also the Petitions of Mayberry Helms Jun, and William Askew Prisoners in Baltimore County Goal, and of Daniel Barnett and John Schley in said County Sent by B: Calvert Esq..^r

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess..^{rs} Henry Holliday and Fielder Gant attend with M. Edmondson a Member for Talbot County, and M.^r Lee for Baltimore, to see them Qualified, who take and Subscribe the Oath of Abjuration, directed to be taken by the late Act of Parliament and then withdraw.

Read and referred the following Petitions Viz..^t William Hornes of Queen Anns County, Daniel Chamiers and Smith Sterrits of Baltimore Town, and also the Petition of the Rector Vestry and sundry Parishioners of Somerset Parish, in Somerset County Sent by Benedict Calvert Esq..^r

Read and rejected the Petition of William Harris of Calvert County and also the Petition of the Corporation of the City of Annapolis.

Read and Rejected the Petition of Joseph Helms of Frederick County.

Adjourned until to Morrow Morning 10 of the Clock

Nov. 11

Tuesday Morning 11.th November 1766.

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petitions of James Barron and Zerras Martin of Talbot County, and of Levin Woolford of Dorchester County Sent by Richard Lee Esq..^r

Read and referred the Petitions of Mary Hicks, and of sundry
Inhabitants of Baltimore County Sent by Daniel Dulany Esq..^r
Adjourned until 3 of the Clock in the Afternoon

U. H. J.
Liber No. 36
Nov. 11

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read and referred the Petition of James Smith of S.^t Marys
County and also the Petition of Sundry Inhabitants of Benedict
Hundred, in Charles County Sent by Richard Lee Esq..^r

Read and rejected the Petition of Thomas Richardson and Rob..^t
Couden, and also the Petition of Sarah Henry and others, Devises
of Joseph Ogle, because the Subject matter therein Contained can
be settled without the Interposition of the Legislature

A Bill by Mess..^{rs} Grahame and Sullivane, Entitled, An Act Con-
tinuing An Act Entitled An Act for the amending the Staple of
Tobacco, for preventing Frauds in his Majestys Customs, and for
the Limitation of Officers Fees Endorsed. p. 326

Read the first and second in the Lower House and will Pass
Read the first and second time, by especial Order, in this House, and
will Pass So Endorsed and sent by John Ridout Esq..^r

Read and referred the Petition of Thomas Dugan of Kent County
Sent by Henry Hooper Esq..^r

A Bill by Mess..^{rs} Allen and Wilson, Entitled, An Act to repeal
part of an Act for destroying Crows and Squirrels in particular
Counties, and Red Foxes in Kent and Queen Anns Counties, so far
as the same extends to Somerset, Dorchester and Worchester Coun-
ties. Endorsed

Read the first and second time in the Lower House and will Pass
Read the first and second time by especial Order in this House and
will Pass. Sent by Daniel Dulany Esq..^r

Mess..^{rs} Edmondson and Jacobs bring from the Lower House the
following Bills. Endorsed.

Read the first and second time in the Lower House and will Pass

A Bill Entitled, An Act Continuing An Act Entitled An Act for
the speedy recovery of small Debts out of Court before one Justice
of the Peace

A Bill, Entitled An Act continuing An Act Ent..^d An Act to
remedy some Evils relating to Servants.

A Bill, Entitled An Act continuing An Act Entitled An Act for
the Gauge of Barrels for Pork, Beef, Pitch Tarr, Turpentine and
Tare of Barrels for Flour and Bread.

U. H. J.
Liber No. 36
Nov. 11

A Bill Entituled An Act continuing An Act Entitled An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to repress the great Evil accruing, to this Province by the Multiplicity of useless Horses, Mares, and Colts that run in the Woods.

These Bills read the first and second time by especial Order in this House and will Pass Sent by Benedict Calvert Esq..^r

Adjourned until to Morrow Morning 10 of the Clock

Nov. 12

Wednesday Morning 12th November 1766.

This House met again according to Adjournment.

Present as Yesterday

p. 327 Read and referred the Petition of Wright Mills Sent by Col.^o Hooper.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read and rejected the Petition of Francis Rawlins

Adjourned until to Morrow Morning 10 of the Clock

Nov. 13

Thursday Morning 13.th November 1766.

This House met again according to Adjournment

Present as Yesterday.

A Bill, by Mess.^{rs} Worthington and Allen, Entitled An Act for regulating Innholders and Ordinary keepers within this Province Endorsed

Read the first and second time in the Lower House and will Pass. Read the first time in this House and ordered to lye on the Table

Mess.^{rs} Lee and Wolstenholme bring from the Lower House the following Engrossed Bills, thus Subscribed.

Read and assented to by the Lower House of Assembly
A Bill Entituled An Act continuing An Act, Entitled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers Fees

A Bill Entitled An Act to repeal part of An Act, Entitled An Act for destroying Crows and Squirrells, in particular Counties, and of

red Foxes in Kent and Queen Anns Counties, so far as the same extends to Somerset Dorchester and Worcester Counties

U. H. J.
Liber No. 36
Nov. 13

These Bills read and assented to by this House and ordered to be so subscribed The Paper Bills sent by Richard Lee Esq..^r

A Bill, by Mess..^{rs} Ringgold and Lloyd, Entitled An Act for the building a Vestry House at Chester Church in Kent County and inclosing the Church Yard and other purposes Endorsed.

Read the first and second time in the Lower House and will Pass Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning and M. Goldsborough

Mess..^{rs} Jacobs and Tyler attend with M..^r Beall a Member for Prince Georges County, to see him Qualified, who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws. p. 328

Read the first and second time, by especial Order in this House, and will Pass the Bill Entituled an Act for building a Vestry House at Chester Church in Kent County and inclosing the Church Yard, and for other purposes and will pass so Endorsed and sent by B: Calvert Esq..^r

Daniel Dulany and Henry Hooper Esq..^{rs} are sent to acquaint the Lower House, that His Excellency requires their attendance in the Upper House immediately to see the Bills, passed this Session, receive the Assent.

The Lower House attend, and by their Speaker presents to His Excellency the following Bills.

A Bill Entituled An Act continuing An Act Ent.^d An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees.

A Bill, Entituled An Act to repeal part of An Act Ent.^d An Act for destroying Crows and Squirrels, in particular Counties and of red Foxes in Kent and Queen Anns Counties, so far as the same extends to Somerset Dorchester and Worcester Counties.

Both which his Excellency passed into Laws in the usual form, by Sealing them with the Right honourable the Lord Proprietary his great Seal at Arms, and Subscribing them, on behalf of the Right honourable the Lord Proprietary of this Province, I will this be a Law.

Adjourned until to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 36
Nov. 14

Friday Morning 14.th November 1766.

This House met again according to Adjournment

Present as Yesterday.

Mess.^{rs} Allen and Sullivan attend with M.^r Selby a Member for Worcester County, and M.^r Lecompte for Dorchester County, to see them Qualified, who take and Subscribe the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraw.

Mess.^{rs} Edmondson and Winder bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly.

p. 329 A Bill Entituled An Act Continuing An Act Ent.^d An Act for the speedy recovery of small Debts out of Court before one Justice of the Peace

A Bill Entituled An Act continuing An Act Entituled An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tarr, Turpentine and Tare of Barrels for Flour or Bread.

A Bill Entituled An Act continuing An Act, Ent.^d An Act to remedy some Evils relating to Servants.

A Bill Entituled An Act continuing An Act entitled a Supplementary Act to the Act to the Act Ent.^d An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares and Colts that run in the Woods.

Read and assented to by this House and ordered to be so Subscribed, the Paper Bills sent by Benedict Calvert Esq..^r

Read and referred the Petitions of James Baron, and Isaac Bugber of Talbot County and of John Journey of Calvert County Sent by Benedict Calvert Esq..^r

Read and referred the Petition of David Murray of Worcester County Sent by John Ridout Esq..^r

Mess.^{rs} Lloyd and Grahame bring up the following Engrossed Bill, Read and assented to by the Lower House of Assembly

A Bill Entituled An Act for the Building a Vestry House at Chester Church in Kent County, and inclosing the Church Yard and for other purposes Read and assented to by this House and ordered to be so Subscribed The Paper Bill is Sent by Col.^o Hooper.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

On Motion made by Daniel Dulany Esq..^r, leave is given to bring in a Bill to repeal part of An Act, Entituled An Act for the En-

couragement of such Persons as shall undertake to build Water Mills, which he brings in accordingly Read the first and second time by an especial Order in this House and will Pass. Sent by Daniel Dulany Esq..^r

U. H. J.
Liber No. 36
Nov. 14

Read and referred the Petitions of Doctor David Ross of Prince Georges County Sent by Benedict Calvert Esq..^r

A Bill by Mess.^{rs} Allen and Gant, Entitled An Act for the Adjournment and Continuance of Frederick County Court

A Bill Entitled an Act to impower the Justices of Somerset County, to Levy on the Taxable Inhabitants of Somerset Parish in said County the Quantity of One hundred and forty four Thousand Pounds of Tobacco, for the uses therein mentioned. p. 330

Read the first and second time in the Lower House and will Pass
Read the first time in this House and ordered to lye on the Table.

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 15.th November 1766.

Nov. 15

This House met again according to Adjournment

Present as Yesterday except Col.^o Hooper

Read and referred the Petition of sundry Inhabitants of Baltimore County Sent by Richard Lee Esq..^r

Read the second time in this House the two following Bills and will Pass

A Bill Entitled An Act for the Adjournment and Continuance of Frederick County Court.

A Bill Entitled an Act to impower the Justices of Somerset County to Levy on the Taxable Inhabitants of Somerset Parish, in the said County, the Quantity of One hundred and forty four Thousand Pounds of Tobacco, for the uses therein mentioned both these Bills sent by Daniel Dulany Esq..^r

Mess..^{rs} Wright, Earle, Hanson and Dent bring up the Journal of Accounts, Read and assented to by the Lower House of Assembly

Read and referred the Petitions of the Vestry of Christ Church Parish in Queen Anns County, and of Charles Collings, John Onions, and Gideon Jones of Worcester County Sent by Richard Lee Esq..^r

A Bill by Mess..^{rs} Allen and Plater, Entitled an Act to repeal part of An Act Ent.^d An Act for the Encouragement of such Persons as shall undertake to build Water Mills thus Endorsed.

Read the first and second time in the Lower House and will Pass

Read in this House and passed for Engrossing

Adjourned until 3 of the Clock in the Afternoon

U. H. J.
Liber No. 36
Nov. 15

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

The following Message together with the Journal of Accounts is sent by John Ridout Esq.^r

By the Upper House of Assembly 15.th Nov.^r 1766.

Gentlemen

p. 331 We have returned the Journal of Accounts with Our Negative, because no Allowance hath been therein made to the Governor for the Seals to Proclamations, issued by him, in Consequence of the Advice of the Privy Council, in Order to Notify to the People of this Province several Acts of Parliament, relative to the British Colonies, or to M.^r Green for Printing those Acts

The above Statutes were transmitted to the Governor by his Grace the Duke of Richmond, one of his Majestys Principal Secretaries of State, and the Lords of Trade and Plantations, not only with the View that his Excellency, but also, that the People, over whom he presided, might be informed of them, and it was therefore thought Advisable to issue Proclamations, as the best and most effectual Means of a general and regular Notification

Of our own Local Acts, it has been the usage to give notice by Proclamation, and no Instance has occurred to us of a refusal to make an Allowance for the Seals to such Proclamations, wherefore since this has been the Practice in respect of our own Acts, the Propriety of Notifying Acts of the British Legislature, expressly relative to the Colonies, in the same manner, seems to us to be obvious, the Notice in the former being at least presumable as in the latter Instance

Conceiving, for the Reasons we have Suggested, that the Proclamations were proper, we also think the Printer is intituled to an Allowance, for as it was necessary, to answer the end, and purpose of the Proclamations, to send Copies of the Statutes, so were they probably more accurate and less expensive, in being Printed, than if Clerks had been employed to transcribe them

We have, too, dissented to the Journal of Accounts, because the usual Allowance hath not been, in it, inserted to the late and present Clerks of the Council

Signed p Order Upton Scott Cl: Up: Ho:

Mess.^{rs} Allen and F: Gant, bring up the following Engrossed Bills Read and Assented to by the Lower House of Assembly.

A Bill Entituled An Act to empower the Justices of Somerset County to Levy on the Taxable Inhabitants of Somerset Parish in said County the Quantity of One hundred and forty four Thousand Pounds of Tobacco for the uses therein mentioned

A Bill Entitled An Act for the Adjournment and Continuance of Frederick County Court These Bills read and assented to by this House, and ordered to be so Subscribed The Paper Bills sent by Daniel Dulany Esq.^r

U. H. J.
Liber No. 36
Nov. 15

Read and assented to by this House the Engrossed Bill Entitled An Act to repeal part of An Act Ent.^d An Act for the Encouragement of such Persons as shall undertake to build Water Mills Sent by Daniel Dulany Esq.^r

p. 332

Mess.^{rs} Gant and Deye bring up the Paper Bill Entituled An Act to repeal part of an Act entituled An Act for the Encouragement of such Persons as shall undertake to Build Water Mills

Adjourned until to Morrow Morning 10 of the Clock

Monday Morning 17.th November 1766.

Nov. 17

This House met again according to Adjournment

Present as on Saturday

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridem

This House met again according to Adjournment

Present as in the Morning

A Bill by Mess.^{rs} Worthington and Dent, Entituled An Act for raising four pence Sterling for every Hogshead of Tobacco exported out of this Province for the Support of an Agent at London, for the Services of this Province. Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will not pass Sent together with the following Message by John Ridout Esq.^r

By the Upper House of Assembly 17.th Nov.^r 1766.

Gentlemen

We have returned your Bill, Entitled "An Act for raising four pence Sterling for every Hogshead of Tobacco exported out of this Province for the support of an Agent, at London, for the Services of this Province" with our Negative, for the Reasons of our present Dissent, and the Terms upon which we would most Chearfully agree to your appointment of an Agent, we must take the Liberty, to avoid Repetition, to refer you to our Message of the 16.th December 1765. attending our Dissent to a Bill, with a Similar Title, then under Our Consideration

Signed p order Upton Scott Cl: Up. Ho:

Read the second time the Bill Entitled An Act for regulating Inn holders and Ordinary Keepers within this Province, and will pass with the following Amendments Sent by Benedict Calvert Esq.^r

U. H. J.
Liber No. 36
Nov. 17

p. 333 After the Word “five” in the eleventh line of the fourth Page insert the Word “Pounds” After the Word “in” and before the Word “Court” in the seventh line of the Eleventh Page insert the Words “the County” In the fifteenth Page, immediately before the first Proviso therein, insert the following Clause Viz.^t “and be it also enacted by the Authority aforesaid that upon every Recovery to be had of, or for any Penalty, Fine or Forfeiture under this Act, full Costs shall be given, and awarded against all, and every Person, and Persons who shall incur any such Penalty, Fine or Forfeiture”

Daniel Dulany and John Ridout Esq.^{rs} are sent to acquaint the Lower House, that his Excellency requires their attendance in the Upper House immediately to see the following Bills passed this Session receive the Assent

The Lower House attend and by their Speaker present to his Excellency the following Bills

A Bill Entituled An Act continuing An Act Entitled An Act for the speedy recovery of small Debts out of Court before one Justice of the Peace

A Bill Entitled An Act continuing An Act Ent.^d An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tarr, Turpentine and Tare of Barrels for Flour and Bread.

A Bill Entitled An Act continuing An Act Ent.^d An Act to remedy some Evils relating to Servants

A Bill Entituled An Act continuing An Act Ent.^d A Supplementary Act to the Act entitled An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province, and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses Mares and Colts that run in the Woods

A Bill Entituled An Act for the building a Vestry House at Chester Church in Kent County, and inclosing the Church Yard, and for other purposes

A Bill Entituled An Act to impower the Justices of Somerset County to Levy on the Taxable Inhabitants of Somerset Parish in said County, the Quantity of One hundred and forty four Thousand Pounds of Tobacco for the uses therein mentioned.

A Bill Ent.^d An Act for the Adjournment and Continuance of Frederick County Court.

A Bill Ent.^d An Act to repeal part of An Act ent.^d an Act for the Encouragement of such Persons as shall undertake to build Water Mills

All which his Excellency passed into Laws in the usual form, by Sealing them with the Right honourable the Lord Proprietary his great Seal at Arms, and Subscribing them, On behalf of the

Right honourable the Lord Proprietary of this Province I will this be a Law.

U. H. J.
Liber No. 36
Nov. 17
p. 334

Adjourned until to Morrow Morning 10 of the Clock

Tuesday Morning 18.th Nov.^r 1766.

Nov. 18

This House met again according to Adjournment

Present as Yesterday.

Read and referred the Petitions of Joseph Lowman and Samuel Cresswell of Baltimore County Sent by Daniel Dulany Esq.^r

Mess.^{rs} Lee and Deye attend with M.^r Hall a Member for Baltimore County, to see him Qualified, who takes and subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament, and then withdraws

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Allen and Selby attend with M.^r Harris, a Member for Worcester County, to see him Qualified, who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament, and then withdraws

Read and referred the Petition of Sundry Inhabitants of Baltimore Town Sent by Daniel Dulany Esq..^r

Adjourn'd until to Morrow Morning 10 of the Clock

Wednesday Morning 19.th Nov.^r 1766.

Nov. 19

This House met again according to Adjournment

Present as Yesterday and Col.^o Hammond

Mess.^{rs} Ringgold and Chase from the Lower House bring the following Message

By the Lower House of Assembly 19.th Nov.^r 1766.

May it please your Honours

This House, sensibly affected with the distressed Circumstances of the Province, and the extream Necessity of many of the Creditors of the Public, occasioned, in great Measure, by the want of a Circulating Medium of Commerce, and by the Non-payment of the Public Debt, think it the most probable means to bring about a Passage of the Journal, that there should be a Conference between the two Houses, which it is hoped, will not only effect that good purpose, and

U. H. J. thereby restore Public Credit, but lay a foundation for the Emission
 Liber No. 36 of a Paper Currency, We therefore, propose, if your Honours think
 Nov. 19 proper to Signify your Approbation of the measure, to nominate
 p. 335 some of Our Members to confer, upon this Subject, with such of
 yours as you shall Choose to appoint.

Signed ꝑ Order M: Macnemara Cl: Lo: Ho:

The following Message is sent by Benedict Calvert Esq..^r

By the Upper House of Assembly 19.th Nov..^r 1766.

Gentlemen

In Answer to your Message of this Day, by Mess..^{rs} Ringgold and Chase, this House doth agree to confer with you on the Subject Matter therein proposed, and in Order thereto, hath appointed Daniel Dulany and John Ridout Esq..^{rs} as Conferees from this House, who will be ready to Join such Members as shall be appointed by your House for that purpose

Signed ꝑ Order Upton Scott Cl: Up. Ho:

The following Order, being read and approved of by this House, is given to Daniel Dulany and John Ridout Esq..^{rs} to deliver to the Conferrees of the Lower House

Ordered that Daniel Dulany and John Ridout Esq..^{rs} Conferrees from this House, do receive from the Conferees of the Lower House, such Propositions as they shall make, and return with the same in Order to take the Sense of this House thereupon

Sign'd ꝑ order Upton Scott Cl: Up: Ho:

By the Upper House of Assembly

19.th November 1766.

Adjourned until 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess..^{rs} Edmondson and Allen bring from the Lower House the following Message.

By the Lower House of Assembly 19th Nov..^r 1766.

May it please your Honours

This House hath named William Murdock, Thomas Johnson, John Hall, and Thomas Ringgold Esq..^{rs} to Confer with the Members appointed by your House in your Message of this day by Benedict Calvert Esq..^r

Signed ꝑ order M: Macnemara Cl: Lo: Ho:

A Bill by Mess..^{rs} Selby and Allen Entitled An Act continuing
 p. 336 An Act Entitled An Act for relieving the Inhabitants of this Prov-

ince frome some Aggrievances in the Prosecution of Suits at Law
and for continuing the Supplementary Act thereto

U. H. J.
Liber No. 36
Nov. 19

Read the first and second time in the Lower House and will Pass
Read the first and second time by an especial Order in this House and
will Pass Sent by Benedict Calvert Esq..^r

Daniel Dulany and John Ridout Esq..^{rs} bring in the following
Proposals from the Conferrees of the Lower House

That the Conferrees of the Lower House be instructed, to inform
those of the Upper House, [*The proposal beginning thus is printed
in full in the Lower House Journal p. 182*]

Adjourned until to Morrow Morning 10 of the Clock

p. 337

Thursday Morning 20.th Nov.^r 1766.

Nov. 20

This House met again according to Adjournment

Present as Yesterday

Mess..^{rs} Hanson and Earle from the Lower House bring the
following Message

By the Lower House of Assembly 20.th Nov.^r 1766.

May it please your Honours

This House hath appointed M.^r Worthington, M.^r Bealle, M.^r
Hanson, M.^r Grahame, M.^r Lloyd, M.^r Ringgold, M.^r Earle, and
M.^r Henry Hall a Committee from this House, to inspect the Office
and Proceedings of the late Commissioners or Trustees for emitting
Bills of Credit, established by Act of Assembly, and request your
Honours will appoint one or more Members of your House to join
the said Committee

Signed p order M. Macnemara Cl: Lo: Ho:

The following Message is sent by Benedict Calvert Esq..^r

By the Upper House of Assembly 20.th Nov.^r 1766.

Gentlemen

This House hath appointed Benedict Calvert Esq..^r to join the
Members of your House, mentioned in your Message of this Day
by Mess..^{rs} Hanson and Earle, in a Committee to Inspect the Office
and Proceedings of the late Commissioners or Trustees for Emitting
Bills of Credit, established by Act of Assembly

Signed p order Upton Scott Cl: Up: Ho:

The following Instructions, being read and approved of, are de-
livered to Daniel Dulany and John Ridout Esq..^{rs} Conferrees ap-
pointed by this House

U. H. J.
Liber No. 36
Nov. 20

By the Upper House of Assembly 20.th Nov.^r 1766.
Instructions to Daniel and John Ridout Esq.^{rs} Conferrees appointed by this House

p. 338 You are to inform the Conferrees of the Lower House, that since they have alledged the Publication of Acts of Parliament, in this Province by Proclamation to be without precedent, and inasmuch as the Necessity of a Speedy Conclusion on the Business of the Journal, will not now admit of a full enquiry into Precedents, to which we think great Regard ought to be had, we are willing to refer the Consideration of the Claim for the Seals to the Proclamations, and of the Printer to a future Session

The Lower House having represented, that their Sentiments are directly opposite to the Opinion we have, on mature Consideration formed upon the Subject of the Clerks of the Councils Claims of a Salary, or Compensation for his Services. You are to inform the Conferrees of the Lower House, that we are extremely desirous, a fair and equitable expedient, for terminating the Subsisting difference may take place, but that the proposition made by them, in pursuance of the Instructions of their House, appears to us to be unequal, and inconsistent with Our undubitable Rights, and therefore we have resolved not to accept thereof on Our Part.

After having Communicated our Resolution respecting their Proposition you are to observe the following Instructions. You are to propose to the Conferrees of the Lower House, that an Appeal be made by the two Houses to his Majesty in Council on the Subject of their Disagreement, that such Sum of Public Money be paid to the Order of the President of this House as may be Sufficient to defray the Expence, which may attend the Prosecution of the Appeal on our Part, and an equal Sum of Public Money be paid to the Order of the Speaker of the Lower House, for the like purpose of defraying the Charge of the Appeal on Their Part, The Quantum, so that it be equal, you are at large to settle with the Conferrees of the Lower House. You are to propose moreover, that the Appeal on each side be made and prosecuted without the Allotment or Application of any Public Money for that purpose it is to be understood that the above is to be offered as an Alternative to the Conferrees of the Lower House, and in Case they should agree to an Appeal, upon the Terms either of the former or the latter Proposition, that such Persons as have Allowances in the Journal of Accounts, or on the List of Debts shall receive their respective Allowances as soon as Conveniently may be, and that a sum equal to the amount of the Claims of the late and present Clerk of the Council be paid into the Hands of One of the Treasurers and placed by him, on good Security at Interest, and the Principal, together with the Interest, be accounted for to the late and present Clerk of the Council or to their Representatives, or as the Property of the Public, in such

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manner, as his Majesty in Council, on the proposed Appeal shall be pleased to order or direct.

U. H. J.
Liber No. 36
Nov. 20

But if neither of the above Propositions should be accepted, you are further to propose, that the Claims of the late and present Clerk of the Council, as well as the other Public Creditors in the Journal of Accounts, and on the List of Debts, be paid to the present time, and that for the future, no Claim upon the Public, of a Salary be allowed to the Clerk of the Council, for the Services he shall hereafter perform, but that, in lieu of a Salary, from the Public, the Restrictions in the Article of his Fees established by the present Laws, in private matters be taken off, and the future Regulations of such Fees be referred to the Governor and Council, in order that, by such Regulation, a Suitable Support may be provided for the Clerk, and a Recompense allowed to him, upon withdrawing of his Salary.

Finally, you are to inform the Conferrees of the Lower House that we shall chearfully Concur with them in an Emission of Bills of Credit, upon such a Foundation as may be sufficient to support their Credit, and upon such Terms, and under such Regulations as may not be repugnant to any Act of Parliament.

Signed p order Upton Scott Cl: Up: Ho:

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 21.st November 1766.

Nov. 21

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petition of William Denune Sent by D: Dulany Esq..^r

A Bill by Mess..^{rs} Allen and Edmondson, Entituled An Act to remedy the Evils arising from the retailing Strong Liquors in small Quantities without Licences, and for other purposes therein mentioned.

Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table Daniel Dulany and John Ridout Esq..^{rs} return from the Conference, and bring with them the following Answer from the Conferrees of the Lower House

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U. H. J.
Liber No. 36
Nov. 21

By the Lower House of Assembly 21.st Nov.^r 1766.

Ordered that the Conferrees of this House inform those of the Upper House that this House agree to the second Proposition made by the Conferrees of the Upper House

Signed p order M: Macnemara Cl: Lo: Ho:

Adjourned until 3 of the Clock in the Afternoon.

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Gibson and Selby bring up the following Bills Read the first and second time by the Lower House of Assembly and will pass

A Bill Entituled An Act for issuing Writts of Replevin out of the County Courts of this Province Read the first time in this House and will not Pass Sent by John Ridout Esq..^r

A Bill Entituled An Act continuing An Act, entitled An Act for imposing an Additional Duty of two Pounds per Poll on all Negroes imported into this Province Read the first time in this House and ordered to lye on the Table

A Bill Entituled An Act to enable the Justices of Charles County Court to Assess and Levy on the Taxable Inhabitants of Trinity Parish a Quantity of Tobacco for building a Chapel of Ease in Benedict Hundred in said Parish, and for other purposes therein mentioned. Read the first and second time by an especial Order in this House and will Pass Sent by John Ridout Esq..^r

A Bill Entituled An Act for licensing Hawkers and Pedlars Read the first time in this House and ordered to lye on the Table

A Bill Entituled An Act to repeal An Act, Entituled An Act for the Benefit of the Poor and Encouragement of Industry, so far as the same extends to the Counties of Talbot, Dorchester, Somerset, Calvert, and Worcester Counties. Read the first and second time by an especial Order in this House and will not Pass Sent by John Ridout Esq..^r

A Bill by Mess..^{rs} Worthington and Chaplin, Entituled An Additional Supplementary Act, to the Act Entituled An Act for Quieting Possessions, Enrolling Conveyances, and securing the Estates of Purchasers. Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

p. 341 Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 22.^d November 1766.

U. H. J.
Liber No. 36
Nov. 22

This House met again according to Adjournment

Present as Yesterday.

M.^r Earle attends with Col.^o Hyland a Member for Cecil County to see him Qualified, who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws.

Read and referred the Petition of Archibald Balentine of Talbot County Sent by Col.^o Hammond.

Read the second time, in this House, and will Pass, The Bill Entitled an Act for imposing an Additional Duty of two Pounds per Poll on all Negroes imported into this Province Sent by Daniel Dulany Esq..^r

Read the second time in this House and will not pass. The Bill Ent.^d An Act to remedy the Evils arising from the retailing Strong Liquors in small Quantities without License, and for other purposes therein mentioned. Sent by Daniel Dulany Esq..^r

Read the second time, in this House and will Pass, with the following Amendments, the Bill Entituled An Additional Supplementary Act to the Act Ent.^d An Act for Quieting Possessions, enrolling Conveyances and securing the Estates of Purchasers Sent by Daniel Dulany Esq..^r

The Words "or Effects" in the 11.th Line of third Page to be left out After the Word "Court" in the 13.th Line of the same Page, add the following Words Viz..^t "not being a Minor" In the 16.th Line of the 4.th Page after the Word "Been" add the following Words Viz..^t "acknowledged and" In the 20.th Line of the same Page after the Word "Conveyance" add the following Words Viz..^t "Acknowledged and" or leave out entirely the Recital and enacting Clause to which the above Amendments in the 4.th Page apply.

Read and referred the Petition of Moses Frampton of Cecil County Sent by Daniel Dulany Esq..^r

Read the second time, in this House, and will Pass, with the following Amendments, The Bill Entituled An Act for Licensing Hawkers and Pedlars After the Word "Act" in the first Line of the last Page insert the Word "to." Sent by Richard Lee Esq..^r

Daniel Dulany Esq..^r brings in the following Report from the Conference.

At a Conference of the Members of both Houses of Assembly on Wednesday the 19.th November 1766. in the Paper Currency Office p. 342

Present

The honble Daniel Dulany and John Ridout Esq..^{rs} of the Upper House

U. H. J. William Murdock, Thomas Johnson, John Hall and Tho.^s Ring-
Liber No. 36 gold Esq.^{rs} of the Lower House
Nov. 22

Who then Chose the honourable Daniel Dulany Esq.^r Chairman
and John Duckett Jun^r Clerke

The Conferrees of the Lower House communicate to those of the
Upper House the following Instructions Viz.^t

That the Conferrees of the Lower House be instructed to inform
those of the Upper House, [*The proposal beginning thus is printed
in full in Lower House Journal, p. 182*]

p. 343 A Copy of which they delivered to the Conferrees of the Upper
House The Conferrees of the Upper House delivers to those of the
Lower House the following Instruction Viz..^t

By the Upper House of Assembly 19.th Nov.^r 1766.

Ordered that Daniel Dulany and John Ridout Esq.^{rs} Conferrees
from this House, do receive from the Conferrees of the Lower
House, such Propositions as they shall make, and return with the
same in Order to take the sense of this House thereupon

Signed p order Upton Scott Cl: Up: Ho:

And then returned to the Upper House with the Copy of the
Instruction delivered to them by the Conferrees of the Lower
House

The Conferrees Adjourn until to Morrow Morning 9 o'Clock

Nov. 20 Thursday 20.th November 1766.

The Conferrees met according to Adjournment

The Conferrees of the Upper House deliver to those of the
Lower House an Instruction from their House which follows in
these Words

By the Upper House of Assembly 20.th Nov.^r 1766.

Instructions to Daniel Dulany and John Ridout Esq.^{rs} Conferrees
appointed by this House

[*The following Instructions have already been printed in full
in the Upper House Journal, pp. 108-109*]

p. 345 The Conferrees adjourn until to Morrow Morning 9 o'Clock

Nov. 21 Friday 21.st Nov..^r 1766.

The Conferrees met according to Adjournment

The Conferrees of the Lower House deliver to those of the
Upper House the following Viz^t

By the Lower House of Assembly 21.st Nov.^r 1766.

U. H. J.
Liber No. 36
Nov. 22

Ordered that the Conferrees of this House inform those of the Upper House, that this House agree to the second Proposition made by the Conferrees of the Upper House

Sign'd p order M:Macnemara Cl: Lo: Ho:

So ends this Conference

Sign'd p order John Duckett Jun:^r Clk.

*[Upper House Proceedings for Saturday 23^d November 1766
continued from page 111]*

Mess.^{rs} Dent and Hall bring up the following Engrossed Bills, Read and assented to by the Lower House of Assembly.

A Bill Entituled An Act continuing An Act Entituled An Act for relieving the Inhabitants of this Province from some Ag-grievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

A Bill Entituled An Act to enable the Justices of Charles County to assess and Levy on the Taxable Inhabitants of Trinity Parish a Quantity of Tobacco for building a Chapel of Ease in Benedict Hundred in said Parish, and for other Purposes therein mentioned. These Bills read and assented to by this House and the Paper Bills so Endorsed sent by John Ridout Esq..^r

Adjourned until Monday Morning 10 of the Clock

Monday Morning 24.th November 1766.

Nov. 24

This House met again according to Adjournment

Present as on Saturday except M.^r Dulany

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

p. 346

This House met again according to Adjournment

Present as in the Morning

M.^r Key attends with M.^r Southoron, a Member for S.^t Marys County, to see him Qualified who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws Read and referred the Petition of Cap.^t Richard Paeris Sent by John Ridout Esq..^r

Adjourned until to Morrow Morning 10 of the Clock

Tuesday Morning 25.th November 1766.

Nov. 25

This House met again according to Adjournment

Present as Yesterday and Col.^o Hammond

Read and referred the Petition of Adam Wychal of Frederick County Sent by Col.^o Hammond

U. H. J. Read and referred the Petitions of Joshua Rogers and Rob.^t
Liber No. 36 Pitts of Worcester County Sent by Richard Lee Esq.^r
Nov. 25

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Earle and Harris bring up the following Bills Read the first and second time in the Lower House and will Pass

A Bill Entituled An Act to ease the Inhabitants of this Province, and to impower the Justices of the several Counties to bind out the Persons therein mentioned Apprentices Read the first time in this House and ordered to lye on the Table

A Bill Entituled An Act for the Security of Purchasers and others being Protestants Claiming by or from Aliens Read the first time in this House and ordered to lye on the Table

A Bill by Mess.^{rs} Selby and Jacobs Entituled An Act to aid defective Common Recoveries Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

Adjourned until to Morrow Morning 10 of the Clock

Nov. 26

Wednesday Morning 26.th November 1766.

This House met again according to Adjournment

Present as Yesterday.

Read the second time in this House, the Bill Entituled An Act to Ease the Inhabitants of this Province, and to impower the Justices of the several Counties to bind out the Persons therein mentioned Apprentices, and will Pass with the following Amendments Sent by John Ridout Esq.^r

p. 347 In the 3.^d line from the bottom of the 1st Page leave out the Words "Provided always" and before the Word "enacted" in the same line, insert the Word "further." In the 4.th line of the 2.^d Page after the Word "by" insert the Words "Virtue of" In the 6.th and 7.th lines of the same Page, leave out the Words "where such Child shall be bound out Apprentice" In the 9.th line of the same Page after the Words "non est" insert the following Words "and if the Mother shall appear in Court, and offer Sufficient Security for the maintenance of her Child or if any Person on her Behalf shall in Court offer such Sufficient Security then and in such Case the Court shall not have Power to bind out such Child Apprentice, but shall take such Security for his or her Maintenance

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

U. H. J.
Liber No. 36
Nov. 26

Benedict Calvert Esq.^r brings in the following Report from the Committee appointed to inspect the Office and Proceedings of the late Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly

Maryland ss..

At a Committee of both Houses of Assembly appointed to Inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly

Were Present

The hon^{ble} Benedict Calvert Esq.^r of the Upper House.

Mess.^{rs} Brice T: B: Worthington, Josias Beall Jun.^r Charles Grahame Rich..^d Lloyd Thomas Ringgold, Michael Earle, Henry Hall and John Hanson Jun..^r of the Lower House Who make Choice of and appoint Benedict Calvert Esq.^r Chairman and Rob..^t Couden their Clerk, and agree to make the following Report Viz..^t

Your Committee by an Account from the Trustees in London dated the 30.th of May last find that there was then £26,800 Capitol Stock in the Bank of England belonging to the Province which Cost £33,357:12:6. and £135:2:10. a Balance not invested, That all the Bills of Exchange Drawn by the Commissioners to sink the late Paper Currency had been paid and Charged in the Trustees Account excepting only ten Bills amounting to £1199:17:7. That the Commissioners have remitted to the said Trustees Bills of Exchange to the amount of £10929:19:10½ of which £4634:7:11 have been received by the said Trustees and Passed to the Credit of the Province, the remaining Sum of £6295:11:11½ not having come to hand, And, they the Trustees have since the last Report accounted for the Sum of £848:9:9. remitted by the Naval Officers. p. 348

Your Committee have examined the state of the Office, and the State of Iron Chest N.^o 1 and finds it as followeth Viz..^t

1765.

Iron Chest N.^o 1.

D..^r

£ s d

To the Balance in Chest p Re-	}	11,557..13..10¾
port of the Committee in Nov. ^r		
Session 1765 in Gold and Silver		
and Mess. ^{rs} Murdock, Dick and		
Wolstenholme their Bill on	}	189.. 7..10½
Jn. ^o Buchanan London for		
£142:0:11 @ 33⅓.....		

1765.		Iron Chest N. ^o 1.	D. ^r
			£ s d
U. H. J. Liber No. 36 Nov. 26	Dec. ^r 21. st	To Money paid in by W. ^m Murdock Edw. ^d Tilghman and Tho. ^s Ringgold Esq. ^{rs} 127½ Pistoles and 6/ in Silver.....	149..12....
	28. th	To Money paid in by Col. ^o Cha. ^s Hammond Treasurer of the Western Shore, by Virtue of an Act of Assembly in Nov. ^r Session 1765. in Gold @ 110 p Ounce	
			1,450.....
1766			
January	14. th	To Money paid in by Col. ^o Hammond Treasurer of the Western Shore as above in Gold at 110 p ounce.....	483..18.. 6½
	15. th	To Money paid in by W. ^m Barrett for the Principal and Interest of his Mortgage.....	
April	1. st	To Money paid in by Col. ^o Edw. ^d Lloyd Treasurer of the Eastern Shore by Virtue of An Act of Assembly in Nov. ^r Session 1765 in Gold @ 110 p Ounce.....	1,319..14.. 5
		To Money paid in for Costs of Suits against Sundries.....	
		To the difference betwixt the Money in the Office on Counting by the Committee in Nov. ^r Session 1765 and the Books of the Office gained to the Province	
		To Bills of Exchange paid in by Col. ^o Cha. ^s Hammond as Treasurer	
		and by Rich. ^d Lee Esq. ^r as Naval Officer @ 33½	...:9½
		Exch:	
			653.. 7.. 8½
			<u>£15,867..14.. 3½</u>

Per Contra		C. ^r			U. H. J. Liber No. 36 Nov. 26
		£	s	d	
By Bills of Exchange					
purchases	4873:11: 6 @ 45 Ex.	7,066..	13..	5	
By Ditto	4464: 2: 8 @ 43....	6,383..	14..	2½	
By Ditto	1102: 4:11 @ 33½...	1,469..	13..	3	
By Money paid to Sundries for Tob. ^o lost on Ex- portation for which Duty was paid and now repaid by Act of Assembly in Nov. ^r Session		107..	16..	8	
1765. £80 ^{Stg} : 17: 6 @ 33½.....					
By Money paid the Commissioners their Salaries.		124..	13...		
By Money paid the Clerk his Salary.....		45..	14...		
By Money paid for Wood for the Office.....		1..	4...		
By Money paid for Postage of Letters.....		...	15...		
By Money paid William Thomas Rent Roll Keeper of the Eastern Shore his Com. ⁿ for the several sums for Land Tax paid in.....		7..	19..	10	
By Money paid Col ^o Edward Lloyd Rent Roll Keeper of the Western Shore for his Com. ⁿ on the Land Tax.....		1:16..	8½		
By Bills remitted for Col. ^o Cha. ^s					
Hammond his Bill on Silvanus	£490:....				
Grove					
and for Rich. ^d Lee Esq. ^r on Mess. ^{rs}					
Steuart and Campbell.....	...:9½				
	@ 33½ Ex.	653..	7..	8½	
		15,863..	7..	9½	
		4..	6..	6½	
		£15,867..	14..	3½	
Balance in the Chest					

Your Committee find, by the books in the Office, the following
Persons Still Indebted by Bond or Mortgages Viz.^t p. 349

	Principal
Alexander Rind ꝓ Bond.....	30:....
Littleton Townshend ꝓ Mortgage.....	80:....
Henry Bailly ꝓ Mortgage.....	50:....
Rob. ^t Riddle ꝓ Bond and Edw. ^d Sprigg Secu. ^y .	31:19:4½
Nath. ¹ Whitaker ꝓ Bond Tho. ^s Lambden D ^o ...	10:15:..

And your Committee find that the Commissioners have since November Session 1765. drawn Bills on the Trustees in London for £108: 4: 9 St.^s for the Sinking of £144: 6: 6 in Bills of Credit brought in the 30.th of April last which paid Bills of Credit, have been during this Present Session, counted and burnt by your Committee, and that there now remains in the Office 8²: 5^s: 4^d in Liber

Your Committee have also burnt all the Counterfeit Bills of Credit which they found lodged.

U. H. J. Your Committee find that the Monies reported in November
 Liber No. 36 Session 1765 and in several Preceeding Sessions, to be due from
 Nov. 26 the Several Sheriffs on the Act for the Encouragement of Jonas
 Green passed in September Session 1756 and for Ordinary Licences,
 are still unpaid, and that nothing has been received from the several
 Officers and Collectors of the funds under the Act for granting a
 Supply of £40,000 for his Majestys Service &c and who were re-
 ported to be deficient in their Duties at Nov.^r Session 1765 excepting
 only £72: 16: 6. from Thomas Prather Collector of Land Tax for
 Frederick County which sum he hath paid in part of One whole
 Years Land Tax for that County ending 29.th September 1763.
 and your Committee have counted the said sum of £72: 16: 6. in
 Bills of Credit and burnt the same

Your Committee find in the Office the Sundry Articles following
 belonging to the Province Viz.^t 7 Dozen of Ink Powder 3½ Ream
 of Writing Paper, 14 Bundles of Quills, 2 Iron Chests, 5 hair
 Trunks, 1 Pair of And Irons and fire Tongs 1 large Ovall Table, 1
 Pine Square Table 1 Pine Writing Table 1 Pair of Money Scales
 and weights 1 Pewter Ink Stand, 9 Leather bottomed Chairs 17
 Books of Accounts belonging to the Office 71 Books of Bills of
 Credit unsigned 14 Boxes of Wafers and Six Sand Boxes All
 which is Submitted to the Consideration of both Houses of As-
 sembly this 26.th day of November 1766.

Benedict Calvert
 Brice T: B: Worthington
 Charles Grahame
 Thomas Ringgold
 M: Earle
 Henry Hall
 John Hanson Jun.^r

p. 350 A Bill by Mess.^{rs} Lecompte and Chaplin Entituled An Act for the
 Relief of Insolvent Debtors Read the first and second time in the
 Lower House and will Pass Read the first time in this House and
 Ordered to lye on the Table

Read the second time the Bill Entituled An Act for the security
 of Purchasers, and others being Protestants claiming by or from
 Aliens And will Pass with the following Amendments Sent by
 Benedict Calvert Esq..^r

Leave out the Words “being Protestants” in the Title, and also
 in the eighth line and in the fourteenth and fifteenth lines Leave out
 the Words “a Protestant or Protestants and” in the 21st and in the
 24.th Line Leave out the Words “Papist or Papists or” in the 28.th
 Line and also in the 29.th Line

Adjourned until to Morrow Morning 10 of the Clock

Thursday Morning 27.th November 1766

U. H. J.
Liber No. 36
Nov. 27

This House met again according to Adjournment

Present as Yesterday.

M.^r Lecompte attends with Col.^o John Henry, a Member for Dorchester County, to see him Qualified, who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws

A Bill by Mess.^{rs} Wright and Smith Entituled An Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer Read the first and second time in the Lower House and will Pass. Read the first and second time by an especial Order in this House and will Pass Sent by John Ridout Esq..^r

Mess.^{rs} Grahame and Hanson from the Lower House bring up the following Message

By the Lower House of Assembly 27.th Nov..^r 1766.

May it please your Honours

Since the Journal was sent up to your House, his Excellency the Governor has requested an Allowance to be made him for Money expended by him for Express's and Postage of Letters during the War; and this House have agreed to Allow him Seventy Pounds. And on the Petitions of Ann Gaither and Wright Mills, to be reimbursed for Damages done them by unknown People, in pulling down the House claimed to be the Right of the said Ann Gaither and destroying the Tools and Work of the said Wright Mills who was repairing the said House, This House have agreed to Allow the Representatives of Samuel Gaither One hundred Pounds for the Damages done to the said House, and the Sum of Thirteen Pounds seven Shillings and three Pence to the said Wright Mills for his Damage, and this House likewise have engaged to pay Caleb Dorsey p. 351 for fire Wood used by Us this Session, three Pounds fifteen Shillings We are desirous of adding the above Allowances to the Present Journal, to be paid with the other Public Claims by the Bill now before Us, for that purpose, and request your Honours Concurrence

Signed p order M: Macnemara Cl: Lo: Ho:

The following Message is sent by Richard Lee Esq..^r

By the Upper House of Assembly 27.th November 1766.

Gentlemen

We have no Objections to your Inserting in the Journal of Accounts the several Allowances, mentioned in your Message of this Day by Mess.^{rs} Grahame and Hanson.

We send you with this an Account for fire Wood furnished during

U. H. J. this Session, for the use of this House for which we desire an Allow-
Liber No. 36
Nov. 27 ance may also be made in the Journal

Signed p order Upton Scott Cl: Up: Ho:

Adjourned until until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Nov. 28

Friday Morning 28.th November 1766.

This House met again according to Adjournment.

Present as Yesterday

Mess.^{rs} Grahame and Gant attend with M.^r Mackall, a Member for Calvert County, to see him Qualified, who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament, and then withdraws

A Bill by M.^r Murdock and seven others, together with the Journal of Accounts Entituled An Act for the Payment of the Public Claims for Emitting Bills of Credit, and for other Purposes therein mentioned Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Nov. 29

Saturday Morning 29.th Nov.^r 1766.

p. 352

This House met again according to Adjournment

Present as Yesterday and Col.^o Hammond

A Bill by Mess.^{rs} Johnson and Henry Entituled An Act of Gratitude to the Right honourable William Pitt Earl of Chatham and the Right honourable Charles Pratt Lord Cambden Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

A Bill by Mess.^{rs} Sothoron and Deye, Entituled An Act for the

relief of certain Languishing Prisoners in the several Goals therein mentioned Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

U. H. J.
Liber No. 36
Nov. 29

A Bill by Mess.^{rs} Dent and H: Hall Entituled a Supplementary Act to the Act Entituled An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and for other Purposes therein mentioned. Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

Adjourned until Monday Morning 10 of the Clock

Monday Morning 1.st December 1766.

Dec. 1

This House met again according to Adjournment

Present

The honble Benjamin Tasker, Rich.^d Lee, Benedict Calvert Daniel Dulany and John Ridout Esq..^{rs}

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time and will Pass, the Bill Entituled a Supplementary Act to the Act Entituled An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and for other purposes therein mentioned Sent by B: Calvert Esq.^r

A Bill by Mess.^{rs} Jacobs and Hall Entituled An Act for the Preservation of the Breed of Fish Read the first and second time in the Lower House and will Pass Read the first time in this House and ordered to lye on the Table

Adjourned until to Morrow Morning 10 of the Clock

Tuesday Morning 2.^d Dec..^r 1766.

Dec. 2

This House met again according to Adjournment.

Present as Yesterday

A Bill by Mess.^{rs} Gant and Smith Entituled An Act empowering the Justices of Frederick County to Levy on the Taxable Inhabitants of said County a Quantity of Tobacco for building a Stone Wall around the Public Prison in said County and for other purposes therein mentioned Read the first and second time in the Lower

p. 353

U. H. J. House and will Pass Read the first and second time by especial
Liber No. 36 Order in this House and will Pass Sent by Daniel Dulany Esq.^r
Dec. 2

Read the second time the Bill Entituled An Act for the Relief of certain Languishing Prisoners in the several Goals therein mentioned and will Pass, leaving out the Names of John Duncastle of Charles, and Mayberry Helms Jun.^r of Baltimore County Sent by Daniel Dulany Esq.^r

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Benedict Calvert Esq.^r is sent with the following Message together with the Bill Entituled An Act for the Payment of the Public Claims for emitting Bills of Credit, and for other purposes therein mentioned

By the Upper House of Assembly 2.^d December 1766.

Gentlemen

We have returned the Bill Entituled “An Act for the Payment of the Public Claims, for emitting Bills of Credit and for other purposes therein mentioned” which we flatter ourselves will be so framed as that we may give our Assent to it.

The Duty required of the Commissioners seems to exceed the Duration of their Power, when they are directed not only to receive the stamps and Flowers into their Possession but to Safely keep them in their Office; It appears to be very proper, that in the Execution of so important a Trust there should be two Commissioners present at the Delivery of Bills of Credit, but in Case of the Inability of one of them, by Sickness or other reasonable cause to attend, some Provision we think is requisite in Order to prevent a Total Stop to the Business The Services in recording Bonds and orders and in the safe Custody of them ought to be paid for, and if by the Commissioners it seems to be proper to extend the Provision made for some other Articles of Expence

If you should think that a Short recital of the Substance of the Agreement between the two Houses, in Consequence of the Conference which took place this Session, in respect of the Claims of the late and present Clerk of the Council would not be so proper as One more full and Particular, we make no doubt but you will readily agree, that all our Propositions offered at the above Conference ought to be set out, and that great Care ought to be taken to prevent any Inference from the Recital, that either House has held a Conduct different from the fact We have always dissented to the Journal of Accounts, because the usual Allowance was not made therein to

the late and present Clerk of the Council, but we have not always dissented to the List of Debts.

U. H. J.
Liber No. 36
Dec. 2

We presume that the attendance of those, to whom the Keys of the Repository and Iron Chests are to be delivered, is not intended, and that this matter should be clear

If the Commissioner, for taking in the Bills of Credit and drawing Bills of Exchange, should Die, be disabled to attend, or deserve to be removed before his compleat Execution of the Trust, there ought to be another to supply his place. We incline to think that two Commissioners would be proper for this Service as a Guard against the Imposition of Forged Bills of Credit

The Trustees in London will undoubtedly expect to be paid for their Trouble, perhaps if a Commission or reward should not be expressly given them by the Bill, They would refuse to act, or if they should Act they might Claim and have it in their Power to receive more than on the other hand might be thought a reasonable Compensation.

We are really apprehensive that the Allowance to the Commissioners is too small, considering the Duties they are to perform, to enduce Gentlemen properly Qualified, to accept of the Appointment, and should this be the Case, we need not Suggest what the Inconvenience may be, and how dearly a little Saving may be purchased by the Public

There are some Inaccuracies of Expression in the Bill which may probably occur, and you may think proper to correct, and perhaps some more material Defects which may be remedied at a time of more Leisure

Signed p order Upton Scott Cl: Up: Ho:

Mess.^{rs} Gant and Sotheron bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly

A Bill Entituled An Act continuing An Act Entituled An Act for imposing an Additional Duty of two Pounds per Poll on all Negroes imported into this Province

A Bill Entituled An Additional Supplementary Act to the Act Entituled An Act for Quieting Possessions, Enrolling Conveyances and securing the Estates of Purchasers

p. 355

A Bill Entituled An Act to ease the Inhabitants of this Province and to empower the Justices of the several Counties to bind out the Persons therein mentioned Apprentices

A Bill Entituled An Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer

A Bill Entituled a Supplementary Act to the Act Entituled An Act to prevent the Evils arising from the Multiplicity of useless Dogs and for other Purposes therein mentioned These Bills read

U. H. J. and assented to by this House and order to be so Subscribed The
 Liber No. 36 Paper Bills so Endorsed sent by Benedict Calvert Esq.^r
 Dec. 2 Adjourned until to Morrow Morning 10 of the Clock

Dec. 3 Wednesday Morning 3.^d December 1766.

This House met again according to Adjournment

Present as Yesterday

Read the second time the Bill Entituled An Act for the Preserva-
 tion of the Breed of Fish and will Pass with the following Amend-
 ment Sent by John Ridout Esq.^r

In the 12th and 13.th Lines of the first Page Strike out the Words
 “or suffer three Months Imprisonment without Bail or Mainprise”

In the 15.th and 16th Lines of the first Page leave out the Words
 “towards defray the Public Charge” and insert the following Words
 Viz.^t “as the General Assembly shall direct” In the 7.th line of the
 2.^d Page after the Word “aforesaid” insert the following Words
 Viz.^t “with full costs of Suit” In the 3.^d line of the 3.^d Page after
 the Word “aforesaid” insert the following Words Viz..^t “with full
 Costs of Suit” In the 6.th line of the 3.^d Page after the Word
 “Potowmack” insert the following Words Viz.^t “below the falls
 aforesaid” In the 9.th line of the same Page leave out the
 following Words Viz..^t “Potowmack River or in the Branches
 thereof below the Mouth of the Eastern Branch of the said River”
 and insert in lieu thereof the following Words Viz..^t “any Part of
 Potowmack River below the Mouth of the Eastern Branch or in
 any of the Branches of the said River below the Mouth of the said
 Eastern Branch”

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

p. 356 Mess..^{rs} Earle and Hanson bring up the following Message to-
 gether with the Bill Entituled An Act for the Relief of certain
 languishing Prisoners in the several Goals therein mentioned

By the Lower House of Assembly 3.^d Dec.^r 1766.

May it please your Honours

This House having heard and fully Considered the Allegations
 of John Slye and Daniel Barnett contained in their Petitions against
 the Relief of Mayberry Helms Jun.^r of Baltimore County, that he
 had made over to and otherwise deposited all or most of his Estate
 with his Father in Trust, to defraud them his Securities for a large

sum of Sterling Money, it appeared clearly to the universal Satisfaction of this House that they were only his Sureties on a Bond for Six hundred Pounds, the Consideration of a Cargo of Goods which were divided among them and that no fraud whatever has been Committed or designed by the said Mayberry Helms Jun.^r or his Father to injure the said John Slye and Daniel Barnett or any other of his Creditors.

U. H. J.
Liber No. 36
Dec. 3

As he seems to this House an Object worthy of Relief utterly unable ever to discharge his Debts and wholly clear of all Fraud we hope your Honours will agree to the Continuance of his Name in the Bill

Nothing has yet occurred to this House to deprive John Dun- castle of Charles County of the Benefit intended him by the Bill, We therefore hope your Honours Concurrence with the Bill now returned to you for that Purpose Should Sufficient Reasons still remain with your Honours to induce you to refuse him his Liberty, those Reasons when Communicated to Us, shall have their proper Weight.

Signed p order M: Macnemara Cl: Lo: Ho:

A Bill by Mess.^{rs} Grahame and Buchanan, Entituled a Supple- mentary Act to the Act Entituled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees. Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will Pass leaving out the 5.th and 6.th Pages Sent by Benedict Calvert Esq.^r

Adjourned until to Morrow Morning 10 of the Clock

Thursday Morning 4.th December 1766.

Dec. 4

This House met again according to Adjournment

Present as Yesterday.

Daniel Dulany Esq.^r is sent with the following Message, together with the Bill Entituled An Act for the Relief of certain Languish- ing Prisoners in the several Goals therein mentioned. p. 357

By the Upper House of Assembly 4.th Dec:^r 1766.

Gentlemen

We make no doubt but you received from the Evidence offered to your House, full Satisfaction, upon your Enquiry into the foun- dation of the Allegations contained in the Petition of Mess^{rs} Slye and Barnett against the Relief of Mayberry Helms Jun.^r of Balti- more County, nor is any thing in that Petition the Ground of Our objecting to his Name being inserted in the Bill for the Relief of languishing Prisoners, and we presume also, that you had Sufficient Cause for rejecting the Petitions of several Prisoners who have

U. H. J. applied this Session for Relief. Our Objection to the relief of Helms
 Liber No. 36 arises from an Information that he has been guilty of great Fraud
 Dec. 4 in obtaining a Sum of Money of M.^r Nicholas Maccubbin, and we
 think that where a Prisoners Character is not Clear he is not intitled
 to Our favour.

We have great Reason also to suspect, that John Duncastle has
 acted with a great Degree of unfairness if not of Fraud, towards
 One of his Creditors, the Circumstances whereof having been Com-
 municated to this House in the Petition of D.^r David Ross, for these
 Reasons we think that the other Prisoners whose Conduct hath not
 been objected to, ought to be distinguished from Helms and Dun-
 castle in Our Consideration

Signed p order Upton Scott Cl: Up: Ho:

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill Entituled An Act to aid defective
 Common Recoveries, and will Pass leaving out all that follows after
 the Word “Notwithstanding” in the 5.th line of the last Page Sent
 by Benedict Calvert Esq.^r

M.^r Daniel Wolstenholme and fifteen more bring from the Lower
 House the following Message, together with the Bill Entituled An
 Act for the Payment of the Public Claims for emitting Bills of
 Credit and for other purposes therein mentioned

By the Lower House of Assembly 4.th Dec.^r 1766.

p. 358 May it please your Honours

This House Claim, as their inherent undoubted and funda-
 mental Right, the Sole and exclusive Formation of all Mony Bills,
 and therein to limit the matter, manner, measurer and time of all
 Grants and Dispositions of Public Money whatsoever. A Right so
 essential to the Liberties and Propertys of those We represent that
 we are determined never to give it up, or Wave or Weaken it any
 Manner

We therefore return to your Honours, the Bill for the Payment
 of the Public Claims, for emitting Bills of Credit and for other
 Purposes therein mentioned, whereon to indorse your Assent or
 Negative, according to the established mode of Parliamentary Pro-
 ceedings, But hope from the Evident Utility of the Bill, and to
 relieve the Extreme Distress of the People, your Honours will give
 your Assent, as we clearly of Opinion it may in its present frame,
 be well Carried into Execution, and that if any of the small matters
 pointed out by your Message should be thought Imperfections, they

may be aided at a Time of more Leisure, as well as those material Defects you intimate to be in the Bill but which We are not at present able to discover.

U. H. J.
Liber No. 36
Dec. 4

Signed p order M: Macnemara Cl: Lo: Ho:

A Bill by Mess.^{rs} Beall and Wright Entituled A Supplementary Act to the Act Entituled An Act for the Direction of Sheriffs in their Offices, and restraining their Ill Practices within this Province Read the first and second time in the Lower House and will Pass Read the first time in this House and Ordered to lye on the Table Also the Engrossed Bill Entituled An Act impowering the Justices of Frederick County to levy on the Taxable Inhabitants of the said County a Quantity of Tobacco for building a Stone Wall around the Public Prison of said County and for other Purposes therein mentioned Read and assented to by the Lower House of Assembly Read and assented to by this House and ordered to be so Subscribed, The Paper Bill so Endorsed sent by John Ridout Esq..^r

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 5.th December 1766

Dec. 5

This House met again according to Adjournment

Present as Yesterday

A Bill by Mess.^{rs} Lee and Key Entituled An Act to remove a Nuisance in Baltimore Town in Baltimore County for other purposes therein mentioned Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will Pass Sent by Benedict Calvert Esq..^r

p. 359

A Bill by Mess.^{rs} Wolstenholme and Henry Entituled An Act to oblige, infected Ships and other Vessels coming into this Province to perform Quarentine Read the first and second time in the Lower House and will Pass Read the first and second time by an especial Order in this House and will Pass, with the following Amendments Sent by John Ridout Esq..^r In the 8.th line of the first Page instead of the Word "Twenty" insert Thirty, and in the 7.th line of the second Page after the Word "recovered" Insert "with full Costs of Suit"

Read the second time the Bill Entituled An Act of Gratitude to the Right honourable William Pitt Earl of Chatham, and the Right honourable Charles Pratt Lord Cambden, and will not Pass Sent together with the following Message by Daniel Dulany Esq..^r

By the Upper House of Assembly 5.th December 1766.

Gentlemen

We have returned the Bill Entituled "An Act of Gratitude to the Right honourable William Pitt Earl of Chatham and the Right

U. H. J. honourable Charles Pratt Lord Cambden" with a Negative, because
 Liber No. 36 you have thereby assumed the exclusive Right of appropriating or
 Dec. 5 applying a sum of the Public Money, expressly by Law subject to
 the Disposition of the General Assembly; if you will frame a Bill
 for the purposes of that which we have rejected, in a manner Con-
 sistent with our Rights, We shall be willing to give our Assent to it

Signed p order Upton Scott Cl: Up: Ho:

Read the first and second time by especial Order in this House
 the Bill Entituled a Supplementary Act to the Act Entituled An Act
 for the Direction of Sheriffs in their Offices and for restraining
 their Ill Practices within this Province and will not Pass Sent by
 John Ridout Esq..^r

Read and assented to the Journal of Accounts

Read the second time the Bill Entituled An Act for the Payment
 of the Public Claims for Emitting Bills of Credit, and for other
 purposes therein mentioned, and will Pass Sent together with the
 Journal of Accounts and the following Message by Richard Lee Esq..^r

By the Upper House of Assembly 5..th Dec..^r 1766.

p. 360 Gentlemen

We observe, with great Concern, and no less Surprise, that you
 have taken Offence at our Message attending the Return of the Bill
 for the Payment of the Public Claims for Emitting Bills of Credit
 and for other purposes therein mentioned

We framed it with all the Caution we could use to avoid every
 probable Occasion of a Disagreement, which might disappoint the
 General Expectation that the Public Claims would be Satisfied, and
 some Relief be applied, by an Emission of Bills of Credit, to the
 general Distress of the Province, arising from the extreme Scarcity
 of Money; but unfortunately the Measure We took, under a very dif-
 ferent Conception, you Consider as an Attack upon /as you are
 pleased to call it/ an inherent undoubted and fundamental Right
 Claimed by your House

In the Year 1732, when the design of a Paper Emission was first
 Conceived, The Lower House sent to the Upper House the following
 Message Viz..^t "This House being of Opinion that a Paper Currency
 would Contribute to retrieve the Trade of this Province, and to
 remove many of the Difficulties under which the People Labour,
 hath agreed that a Bill shall be brought in for that Purpose, but as
 it is a matter of great Weight and Importance to the Country, we
 Conceive that it is best, in order to preserve a good Correspondence
 in every Step to be taken in an affair of such great Consequence,
 and for the Dispatch of the Public Business, to desire a Conference
 with such Members of your House as your Honours shall think fit to
 appoint with some of the Lower House in order to Consider of the

Head of a Paper Bill to Emit a Paper Currency" In Consequence of this Message, a Conference took place, and after the Conferrees had reported their Proceedings to their respective Houses, there was an Intercourse between them on the subject, by Messages and Amendments.

U. H. J.
Liber No. 36
Dec. 5

In March 1733 when the Bill, for Emitting and making Current £90,000 Current Money of Maryland in Bills of Credit, was Read in the Upper House, the following Message was sent to the Lower "There are so many Amendments which occur to this House, necessary to be made to the Bills for Emitting Bills of Credit, and the Bill being of great Consequence to the Province We think the Amendments may be soonest and best made at a Conference between the two Houses

The Conference proposed by the Upper House was immediately agreed to by the Lower, and the Bill was amended not only in making the amount of the Bills of Credit £90,000 instead of £72,000 the sum inserted in the Bill, but in various other matters

p. 361

By this Bill so framed, the Surplus Money was directed to be applied and disposed of in such manner and form as the Assembly of this Province shou'd direct and appoint; The Legislators who passed this Act, we presume, were Authorized to direct by whom the Application of the surplus should be made, and that their Intention or will in this Respect ought to Govern, now, the Concurrence of both Houses, in framing the Law, and the indisputable Import of the Expression "Assembly" plainly evince, that they did not intend to Lodge in the Lower House, only, an exclusive Right to apply the Surplus, and we presume to think, that a Power can't, with Propriety, be solely Claimed by those in whom the Power was not intended to be exclusively Conferred.

If the meaning of the Act of 1733 was less Clear than it is, your Claim, now, of the Right of Application, considering the State of the Subject, is an effectual Resumption of what hath been already settled between us, when the Bill ought to have been framed in order to execute our Prior Agreement, in Consequence of the Conference which took place, upon your Proposition, in which Agreement a determined Application of the surplus was an essential Ingredient.

All the Creditors in the Journal of Accounts and in the List of Debts, as well as the Claims of the late and present Clerk of the Council provisionally both Houses have agreed shall be paid out of the surplus Money, the Application therefore has been settled Upon the foundation of the Surplus Money it was agreed, too, upon the Conference, that Bills of Credit should be Emitted upon such Terms as might secure their Credit, and be clear of all Repugnance to any Statute This Design of an Emission was generally Communicated and mutually agreed upon, and the future frame of the Bill was to Correspond with the Application of the Surplus settled

U. H. J. between the two Houses, as well as the Terms upon which the
 Liber No. 36 Emission was to be made, When the Bill by Agreement to be drawn
 Dec. 5 for the above purposes came to us, and we thought, upon Examination, that it did not Correspond with them we took the Liberty of Pointing out our Objections, but you are pleased to inform Us that we had no Right to do so, and now call upon Us to indorse our assent or Negative

p. 362 As We had before agreed to pass a Bill conformable to the Application of the Surplus money settled between Us, and for an Emission of Bills of Credit, upon Terms or Conditions proposed by us, and accepted by you, Our Honours obliged us to point out our Objections, which a general Negative could not have disclosed, and might therefore have exposed us to the Censure of having receded from what we had engaged to perform, and we had no Conception that we were to be precluded, by any Privilege you could set up, from claiming a punctual performance of the Agreement between the two Houses

You have thought fit by a long Recital, unnecessary to any of the purposes of the proposed Law, to introduce an Account of our Conduct in the Bill which does not contain a just Representation of it, and to direct an Officer, who is not supported by a Salary, but by the fees that arise from particular services to do a Duty without any Recompense, are those parts of the Privilege you Claim to which we are not to object?

The Allowance to the Commissioners is so small that there is great reason to apprehend no Gentlemen, properly Qualified for the Office, will undertake the Execution of it, and the Inability of one of the Commissioners to attend may destroy the Law as the Bill now stands

However, Gentlemen, tho' we are persuaded that the Bill is extremely defective, that the Pretensions you have advanced can't be supported by any Just reasoning, yet from a pure motive of Compassion, a Tenderness for the Public Creditors, and indeed the People in General, and from our most earnest desire to have an End put to the long Subsisting Controversy on the Subject of the Clerks of the Councils Claims, we have endorsed our Assent on the Bill, but we do deny that you are intituled, solely, and exclusively, to form Money Bills, and insist that this Claim is inconsistent with Our Constitution, as well as repugnant to the Usage of the Province, and as we foresee that this Claim, and your very extensive Application of it, may probably obstruct the Course of Public Business, unless some Expedient be fallen upon to settle and explain it, We now give you Notice that we shall lay this Subject before his Majesty in Council, at the same time with our Representation on the affair of the Clerks of the Council, in order that both Points may be settled.

Signed p order Upton Scott Cl : Up : Ho :

Mess.^{rs} Jacobs and Smallwood attend with M.^r John Adams a Member for Somerset County to see him Qualified who takes and Subscribes the Oath of Abjuration directed to be taken by the late Act of Parliament and then withdraws.

U. H. J.
Liber No. 36
Dec. 5
p. 363

A Bill by Mess.^{rs} Johnson and Hall Entituled An Act concerning the Name of John Beale Bordley Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will Pass Sent by Benedict Calvert Esq..^r

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 6.th December 1766.

Dec. 6

This House met again according to Adjournment

Present as Yesterday.

A Bill by Mess.^{rs} Lee and Lloyd, Entituled An Act for repairing and amending the Public Roads in Baltimore County Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will Pass Sent by John Ridout Esq..^r

Mess.^{rs} Worthington and Edmondson bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly

A Bill Entituled, An Act for the Relief of certain languishing Prisoners in the several Goals therein mentioned.

A Bill Entituled a Supplementary Act to the Act Entituled An Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers Fees.

A Bill Entituled An Act to aid defective Common Recoveries

A Bill Entituled An Act to remove a Nuisance in Baltimore Town in Baltimore County, and for other purposes therein mentioned.

A Bill Entituled An Act concerning the Name of John Beale Bordley These Bills read and assented to by this House and ordered to be so Subscribed the Paper Bills so Endorsed Sent by John Ridout Esq..^r

Read and referred the Representation of Jonas Green Sent by J. Ridout Esq..^r Ordered that the Clerk of this House receive such Fees on all Private Bills passed this Session as shall be paid to the Clerk of the Lower House

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

U. H. J.
Liber No. 36
Dec. 6
p. 364

Present as in the Morning.

Mess.^{rs} Hanson and Wright bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly.

A Bill Entituled An Act for amending and repairing the Public Roads in Baltimore County.

A Bill Entituled An Act to oblige infected Ships and other Vessels coming into this Province to Perform Quarentine

A Bill Entituled An Act for the Payment of the Public Claims for Emitting Bills of Credit and for other purposes therein mentioned

These Bills Read and assented to by this House and ordered to be so subscribed the Paper Bills so Endorsed sent by John Ridout Esq.^r

The following Message is sent by Benedict Calvert Esq.^r

By the Upper House of Assembly 6.th Dec.^r 1766.

Gentlemen

We think it a point of Respect due to the Lord Proprietary, to request the favour of him, to undertake the Execution of the Trust created by the Bill Entituled "An Act for the Payment of the Public Claims for Emitting Bills of Credit and for other purposes therein mentioned," and therefore propose that the Application may be made to his Lordships by an Address from both Houses

The two Houses addressed the late Lord Proprietary, to execute the Trust contained in the first Paper Currency Act and in the Act of 1765 for limiting the time for sinking the Paper Bills of Credit his Lordship was requested to continue in the Trust and Care of Superintending and directing the Conduct and Behaviour of the Trustees residing in London, as Himself and his Noble Father had heretofore done under the £90,000 Act.

Signed per Order Upton Scott Cl: Up: Ho:

A Bill by Mess.^{rs} Lee and Smallwood Entituled An Act to enable the Commissioners of the Office for Emitting Bills of Credit to purchase Stationary Ware necessary for the use of the Upper and Lower Houses of Assembly and for other purposes therein mentioned. Read the first and second time in the Lower House and will Pass Read the first and second time by especial Order in this House and will Pass Sent by Benedict Calvert Esq.^r

Ordered that an Address be prepared to His Majesty, and another to Lord Baltimore

Mess.^{rs} Grahame and Earle bring up the following Message

By the Lower House of Assembly 6.th Dec.^r 1766.

May it please your Honours

p. 365 In Answer to your Message of this Date, by Benedict Calvert Esq.^r When we consider that the Lord Proprietary was requested

by the Act of Assembly lately passed, closing the Paper Currency Office and appointing Trustees in London to superintend those Trustees, and we look on this only as a Continuance of the same Trust, we do not see the Necessity of Joining in any such Address as your Honours have mentioned. However if your Honours should think otherwise and will be pleased to prepare such Address we are willing to join therein

U. H. J.
Liber No. 36
Dec. 6

Signed p order M: Macnemara Cl: Lo: Ho:

The following Message together with the Address to the Lord Proprietary Sign'd by the President is sent by John Ridout Esq..^r

By the Upper House of Assembly 6.th Dec..^r 1766.

Gentlemen

We herewith send you an Address to the Lord Proprietary drawn in Consequence of your Message by Mess..^{rs} Grahame and Earle and signed by the President of this House.

Signed p order Upton Scott Cl: Up: Ho:

Mess..^{rs} Smallwood and Key bring up the following Engrossed Bill Read and assented to by the Lower House of Assembly

A Bill Entituled An Act to enable the Commissioners of the Office for Emitting Bills of Credit, to purchase Stationary Ware necessary for the Use of the Upper and Lower Houses of Assembly and for other purposes therein mentioned Read and assented to by this House and ordered to be so subscribed, the Paper Bill so Endorsed is sent by Benedict Calvert Esq..^r

M..^r Hanson brings up the Address to Lord Baltimore Signed by the Speaker which follows in these Words

To the Right honourable the Lord Proprietary

The humble Address of the Upper and Lower Houses of Assembly
May it please your Lordship

It being expedient that some Gentlemen, residing in London, should be appointed Trustees for receiving the Dividends on the Stock belonging to this Province, in the Bank of England, and executing certain other Trusts under an Act of Assembly made this Session, Entituled "An Act for the Payment of the Public Claims, for emitting Bills of Credit and for other purposes therein mentioned" We have taken the Liberty, by the same Act, to put them under your Lordships Superintendency and direction, and, as it is of great Importance to the Welfare of this Province, that the Trust, reposed in those Gentlemen, should be punctually and faithfully executed, we flatter ourselves, that your Lordship will, as you did heretofore, on a similar Occasion, readily comply with our Desire

p. 366

Benj: Tasker President
Rob..^t Lloyd Speaker.

U. H. J.
Liber No. 36
Dec. 6

6th December 1766.

The following Address's being Read and approved of His Excellency was requested to transmit them to the Right honourable the Lord Proprietary.

To the Kings most excellent Majesty

The humble Address of the Upper House of Assembly of the
Province of Maryland.

Most Gracious Sovereign.

We your Majestys most dutiful and loyal Subjects, the Upper House of Assembly of the Province of Maryland, beg leave to present Our unfeigned Thanks for the recent and signal Instance of your Royal Attention to the Welfare of your Majesty's American Colonies.

When we contemplate and Compare their late distressed Condition and dismal Prospect, with their present Situation, we admire the Wisdom and Justice of your Majestys Councils, to which they are indebted for the happy Change, and our Hearts are filled with gratitude to the best of Sovereigns, for an Event so highly interesting, not only to your American, but also to your British Subjects, the Welfare of these Colonies and that of your European Dominions being absolutely inseparable.

We take the Liberty to assure your Majesty, that we shall, by Our Conduct on all Occasions, endeavour to give continual Proofs of Our Zeal, Loyalty and respect to your Majesty and the Parliament of great Britain; With the Greatest fervour, we implore of Heaven, that the Tranquility, now restored throughout these Provinces, the Affectionate Regard of great Britain towards her Colonies, and their Attachment to her may be perpetual, and that your Majesty may long live to enjoy the pleasure, it must afford you, to see all your Subjects, throughout your extensive Dominions, perfectly happy under your mild, equal, and auspicious Government

6.th December 1766.

Benj: Tasker President

To the Right honourable the Lord Proprietary

The humble Address of the Upper House of Assembly of the
Province of Maryland

p. 367 May it please your Lordship

Impressed with a just Sense of his Majestys tender and affectionate Regard for these Colonies, manifested by his ready and chearful Assent to a Repeal of the Oppressive American Stamp Act, which had thrown every thing here into the greatest Confusion; We have thought it our Duty, in an Address to our Most Gracious Sovereign, to express our grateful Acknowledgements for that Instance of his attention to the Welfare and Happiness of his Subjects, which Address we take the Liberty to transmit to your Lordship, through

the Hands of our Governor, hoping you will do us the favour to present it.

U. H. J.
Liber No. 36
Dec. 6

6.th December 1766.

Benj: Tasker President

Benedict Calvert and John Ridout Esq.^{rs} are sent to acquaint the Lower House, that His Excellency requires their attendance in the Upper House immediately, to see the following Bills passed this Session receive the Assent.

The Lower House attend and by their Speaker present to his Excellency the following Bills.

A Bill Entituled An Act continuing an Act entituled an Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto

A Bill Entituled an Act to enable the Justices of Charles County Court to assess and Levy on the Taxable Inhabitants of Trinity Parish a Quantity of Tobacco for building a Chapel of Ease in Benedict Hundred in said Parish and for other Purposes therein mentioned.

A Bill Entituled An Act continuing an Act entituled An Act for imposing an Additional Duty of two Pounds per Poll on all Negroes imported into this Province

A Bill Entituled an Additional Supplementary Act to the Act entituled an Act for Quieting Possessions Inrolling Conveyances and securing the Estates of Purchasers

A Bill Entituled an Act to ease the Inhabitants of this Province, and to impower the Justices of the several Counties to bind out the Persons, therein mentioned, Apprentices

A Bill Entituled An Act for the Speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis Printer.

A Bill Entituled a Supplementary Act to the Act entituled An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs and other purposes therein mentioned. p. 368

A Bill Entituled an Act impowering the Justices of Frederick County to Levy on the Taxable Inhabitants of said County a Quantity of Tobacco for building a Stone Wall around the Public Prison in said County and for other purposes therein mentioned.

A Bill Entituled a Supplementary Act to the Act Entituled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majestys Customs, and for the Limitation of Officers fees

A Bill Entituled an Act for the Relief of certain languishing Prisoners in the several Goals therein mentioned.

A Bill Entituled an Act to aid defective Common Recoveries

U. H. J.
Liber No. 36
Dec. 6

A Bill Entituled an Act to remove a Nuisance in Baltimore Town in in Baltimore County, and for other purposes therein mentioned.

A Bill Entituled an Act concerning the Name of John Beale Bordley

A Bill Entituled an Act for amending and repairing the Public Roads in Baltimore County.

A Bill Entituled an Act to oblige infected Ships and other Vessels coming into this Province to perform Quarentine

A Bill Entituled an Act for the Payment of the Public Claims for Emitting Bills of Credit and for other purposes therein mentioned

A Bill entitled an Act to enable the Commissioners of the Office for Emitting Bills of Credit, to purchase Stationary Ware, necessary for the Uses of the Upper and Lower Houses of Assembly, and for other purposes therein mentioned.

All which his Excellency passed into Laws in the usual form, by Sealing them with the Right honourable the Lord Proprietary his great Seal at Arms, and Subscribing them, On behalf of the Right honourable the Lord Proprietary of this Province I WILL THIS BE A LAW.

After which His Excellency was pleased to Conclude this Session with the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

p. 369 I have thought fit, with the Advice of his Lordships Council of State to Prorogue this Assembly to the first Tuesday in May next, You are therefore to take Notice that you are Prorogued to that day accordingly.

Thus Ends this Session of Assembly begun and held at the City of Annapolis, on Saturday the first day of November ending the Sixth day of December following in the Sixteenth Year of his Lordships Dominion and in the Seventh Year of his Majestys Reign Anno Domini 1766.

Upton Scott Cl: Up.^r Ho:

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

At a Session of Assembly, held at the City of Annapolis, on Saturday the first Day of November, in the year of our Lord one thousand seven hundred and sixty six in the sixteenth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of Maryland and Avalon Lord Baron of Baltimore &c.^a (his Excellency Horatio Sharpe Esquire being Governor) the following Delegates appeared in the Lower House of Assembly

L. H. J.
Liber No. 52
1766
Nov. 1
p. 430

The Honourable Robert Lloyd Esq Speaker	
For Kent County	For Baltimore County
Thomas Ringgold Esq	Capt. Tho. ^s Cockey Deye
For Ann Arundel County	For Cecil County
M. ^r Brice T. B. Worthington	M. ^r Henry Baker
John Hammond Esq	
Thomas Johnson Esq	For Prince George's County
For Calvert County	William Murdock Esq
M. ^r Edward Gantt	M. ^r Mordecai Jacob
M. ^r Charles Grahame	M. ^r Robert Tyler
M. ^r Young Parran	For the City of Annapolis
For Charles County	Samuel Chase Esq
M. ^r John Hanson Jun. ^r	John Hall Esq
M. ^r William Smallwood	For Queen Ann's County
Capt. Francis Ware	Col. ^o Edward Tilghman
For Somerset County	James Hollyday Esq
Samuel Wilson Esq	M. ^r Thomas Wright
M. ^r William Adams	For Worcester County
Capt. William Winder	M. ^r William Allen
For Talbot County	For Frederick County
Henry Hollyday Esq	Capt. Joseph Chapline
For Dorchester County	M. ^r Fielder Gantt
M. ^r Daniel Sulivane	

L. H. J.
Liber No. 52
Nov. 1

A sufficient Number of Delegates to compose a Lower House of Assembly being convened at the Stadt House Ordered That James Hollyday and John Hammond Esq.^{rs} do acquaint his Excellency the Governor therewith

Benedict Calvert and Daniel Dulany Esq.^{rs} from the Upper House acquaint M.^r Speaker that the Governor requires the Attendance of the Lower House immediately in the Upper House M.^r Speaker left the Chair and (with the rest of the Members of the Lower House) attended his Excellency in the Upper House, where the Governor made the following Speech Viz.^t

Gentlemen of both Houses of Assembly

I need not I flatter myself at this Time assure you that it is my Desire on all Occasions to act agreeably to your Inclinations and that it is the Height of my Ambition to merit Your good Opinion together with the Approbation of those from whom I derive my Authority. As the Intimation which you Gentlemen of the Lower House were pleased to give me when you were last convened left me no Room to doubt but you would be glad to meet again at this Season, I resolved to gratify you, and, as I persuade myself, you will endeavour to improve the good Understanding that subsisted between the two Houses during the last Session, I have the highest Expectations that this will be productive of much Good to the Province, and make the Country amply Amends for the Expence attending it

p. 431 Gentlemen, Having received from his Majesty's Ministers, Copies of several Acts of Parliament, that were lately made in Great Britain, for the peculiar Advantage of the Colonies, and are so many Evidences of our most gracious Sovereign's, and the Parliaments Attention to the Interests and Prosperity of his Majesty's American Subjects, I thought it my Duty to notify the same by Proclamation, and with Pleasure embrace this Opportunity of congratulating you on the happy Turn of Affairs in favour of those Colonies, and the pleasing Prospect now afforded us

M.^r Speaker (with the rest of the Members) returned to the Lower House, and resumed the Chair

John Ridout Esq.^r and Col.^o Hooper, with Doctor Upton Scott, Clerk of the Upper House, came into the Lower House, before whom the several Delegates, took the Oath of Abjuration, prescribed to be taken by a late Act of Parliament, made the last Session, and subscribed the same.

The Governor's Speech was read the first Time and ordered to lye on the Table

Ordered that John Hall Esq do acquaint the Reverend M.^r Robert Read that he is requested by this House to read Divine Service at a Quarter before Nine O'Clock in the Morning and at five of the Clock Afternoon, during this Session

Ordered, That the Governor's Speech be read the second Time, which was accordingly

L. H. J.
Liber No. 52
Nov. 1

Ordered, That Thomas Ringgold, James Hollyday, William Murdock, Esq.^{rs} Col. Tilghman, Thomas Johnson, John Hall, and John Hammond, Esq.^{rs} do prepare and bring in an Address to the Governor on his Speech.

Ordered That the Hours of Sitting for Dispatch of Public Business, be from Nine of the Clock in the Morning until Twelve, and from Two of the Clock Afternoon until five

The House adjourns till Two of the Clock

Post Meridiem.

The House met according to Adjournment.

Ordered, That M.^r Henry Hall, a Magistrate of Ann Arundel County, do administer this Oath prescribed by Act of Parliament, made the last Session, to M.^r John Duckett, M.^r Turbutt Wright, M.^r Thomas Duckett, and M.^r Henry Wilkins, as Clerks to the several Committees attending this House; and to Capt. Robert Saunders, as Serjeant at Arms; and M.^r Cornelius Howard, as Door Keeper to this House. He acquaints M.^r Speaker they had severally taken the said Oath

The Rules agreed to last Session are ordered to be observed as such during this Session

The House adjourns till Monday Morning at Nine of the Clock

Monday, November 3.^d

The House met

Nov. 3

[*Green's printed Votes and Proceedings, November Session 1766, p. 108, adds "The House Adjourns till two of the clock. Post Meridiem"*]

M.^r Earle and M.^r Dent appeared in the House

Ordered, That M.^r Baker and M.^r Hanson, do go to the Upper House with those Gentlemen, to see them take the Oath of Abjuration, prescribed by the Act of Parliament made last Session. They return and acquaint M.^r Speaker, that they saw the Gentlemen take the Oath aforesaid, and subscribe the same

On Motion, Samuel Chase, and Thomas Johnson, Esq.^{rs} have Leave of Absence

Several Letters from Charles Garth, Esq.^r directed to the Honourable Speaker of the House of Delegates of the Province of Maryland, were communicated to the House, by M.^r Speaker, and were severally read.

The House adjourns till the Morrow Morning at Nine of the Clock

L. H. J.
Liber No. 52
Nov. 4

Tuesday, November 4.th

The House met,

Col. Lloyd, M.^r Buchanan, and M.^r Smith appeared in the House.

Ordered, That M.^r Fielder Gantt and Thomas Ringgold Esq do
p. 432 go to the Upper House with those Gentlemen to see them take the
Oath of Abjuration prescribed by the Act of Parliament made last
Session. They return and acquaint M.^r Speaker that they saw the
Gentlemen take the Oath aforesaid and subscribe the same

William Murdock Esq brings in and delivers to M.^r Speaker an
Address to his Excellency which was read the first and second Time
and Ordered to be ingrossed

The House appointed M.^r Sulivane, M.^r Wright, M.^r Hanson,
M.^r Earle, and M.^r Dent a Committee of Accounts.

M.^r Tyler, M.^r Parran, M.^r Henry Hall, M.^r Worthington, M.^r
Wilson, M.^r Hammond, M.^r Ringgold, and M.^r John Hall, of An-
napolis a Committee to inspect the publick Offices &c

M.^r Murdock, Col.^o Tilghman, M.^r Hammond, M.^r E. Gantt, M.^r
J. Hall, of Annapolis, M.^r Allen, and M.^r Jacob, a Committee of
Grievances and Courts of Justice

M.^r William Adams, M.^r Smallwood, and Capt. Ware, a Com-
mittee to inspect the Arms & Ammunition and Accounts relating
thereto.

William Murdock Esq brings in and delivers to M.^r Speaker
the following ingrossed Address Viz.^t

To his Excellency Horatio Sharpe Esq Governor and Commander
in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We his Majesty's most dutiful and loyal Subjects the Delegates
of the Freemen of the Province of Maryland in General Assembly
convened return your Excellency our Thanks for your Speech at
the Opening of this Session. The favourable Regard which your
Excellency has been pleased to express for us and your declared
Desire to act on all Occasions agreeably to our Inclinations demand
our particular Acknowledgments; and we assure your Excellency,
that it is the utmost of our Ambition to merit your good Opinion,
together with the Approbation of our Constituents, and shall be our
earnest Endeavour to promote the General Interest and Prosperity
of the Province. For the Attainment of this important End, a
perfect Harmony between the several Branches of the Legislature is
essentially necessary; we shall therefore keep that Object constantly
in view, and hope your Excellency will not be disappointed in your
Expectation, that the Proceedings of this Session may be productive
of much Good to the Province and make ample Amends to the
People for the Expence of it

An earlier Meeting in Assembly would have been more agreeable to us; but when we consider, that the last Month was chiefly taken up with the Sitting of our Courts of Law, we are sensible your Excellency could not have convened us sooner, with any Prospect of Dispatch to the Public Business. We should be greatly wanting in our Duty to our most gracious Sovereign, and Respect for the Parliament, if we did not take this first Opportunity to express the Sentiments of Loyalty and Gratitude, with which our Breasts are filled, for his Majesty's and the Parliament's Attention to the Interests of his American Subjects. We thank your Excellency for your Congratulation, and desire you to accept of Ours, on the late happy Turn of Affairs in Favour of these Colonies, and the pleasing Prospect now afforded us

L. H. J.
Liber No. 52
Nov. 4

Which was read and assented to, and Signed, by Order of the House by the Honourable Speaker

Ordered, That James Hollyday, Esq and M.^r Parran, do acquaint the Governor, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint M.^r Speaker, that the Governor signified he was ready to receive the Address immediately, in the Council Chamber. p. 433

Ordered, That William Murdock, Esq with the rest of the Committee appointed to prepare an Address to the Governor, do present the same

The House appointed H. Hollyday, Esq M.^r Jacob, M.^r H. Hall, and M.^r Wright, a Committee of Elections & Privileges. M.^r Grahame, S. Wilson, J. Hall, J. Hammond Esq.^{rs} M.^r Worthington, and M.^r Hanson a Committee to enquire what Laws will expire with the Close of this Session.

The House adjourns till two of the Clock.

Post Meridiem.

The House met.

On Motion of S. Wilson Esq Leave is given to bring in a Bill to regulate Inn holders and Ordinary Keepers, within this Province.

Ordered, That S. Wilson, H. Hollyday, J. Hammond, Esq.^{rs} M.^r Hanson, M.^r Grahame, and J. Hall, Esq.^r of Annapolis, do prepare and bring in the same.

On Motion of S. Wilson, Esq Leave is given to bring in a Bill for licensing Hawkers and Pedlars.

Ordered, That S. Wilson, H. Hollyday, J. Hammond, J. Hall, Esq.^{rs} M.^r Hanson, M.^r Grahame, and M.^r Worthington, do prepare and bring in a Bill accordingly.

On Motion of M.^r Worthington, Ordered, That a Committee be appointed to enquire, and report to the House, by what Law or

L. H. J. Custom the Lord Proprietary of this Province, receives the Fines &
 Liber No. 52 Forfeitures and Amercements arising in the Courts of Justice, also
 Nov. 4 the Twelve Pence per Hogshead on all Tobaccoes exported out of
 this Province, the Annual Amount of such Fines, Forfeitures,
 Amercements, and Twelve Pence per Hogshead, for the last seven
 Years; to what Uses and Purposes the same have been applied,
 with their Opinion as to the Justice and Receipt of such Application

Ordered, That Col. Tilghman, J. Hammond, J. Hollyday, J.
 Hall, T. Ringgold, W. Murdock, S. Wilson, Esq.^{rs} M.^r Worthing-
 ton, M.^r Hanson, and M.^r Hall, be a Committee for that Purpose,
 and that the said Committee have Power and Authority to send
 for Persons, Papers and Records, necessary to perfect such Enquiry,
 and report the same to the House

The House adjourns till the Morrow Morning at Nine of the
 Clock

Nov. 5

Wednesday, November 5.th

The House met.

G. Plater Esq.^r and M.^r Ward appeared in the House

On Motion of M.^r Allen, Leave is given to bring in a Bill, to
 repeal an Act, entituled, An Act for the Benefit of the Poor, and
 Encouragement of Industry.

Ordered, That M.^r Allen, S. Wilson, Esq^{rs} M.^r W. Adams, and
 M.^r H. Hall, do prepare and bring in a Bill accordingly.

On Motion of M.^r Allen, Leave is given to bring in a Bill to repeal
 an Act to prevent the Mischiefs arising from the Multiplicity of
 useless Dogs, &^a

Ordered, That M.^r Allen, S. Wilson, Esq^{rs} M.^r W. Adams, and
 M.^r H. Hall, do prepare and bring in a Bill accordingly.

On Motion of S. Wilson, Esq^{rs} Leave is given to bring in a Bill
 to repeal Part of the Act, entitled, An Act for destroying of Crows
 and Squirrels &^a

Ordered, That S. Wilson, Esq^{rs} and M.^r Allen do prepare and
 bring in the same

M.^r Grahame brings in, and delivers to M.^r Speaker, the following
 Report Viz.^t

By the Committee appointed by the Honourable the Lower House
 of Assembly, to enquire and report what Laws will expire with the
 Close of this Journal

Your Committee in Pursuance of the Order and Direction of the
 Honourable House, have enquired, and do find that the following
 Laws will expire at the End of this Session

p. 434 An Act continuing an Act, entitled, An Act for relieving the
 Inhabitants of this Province from some Aggrievances in the Prose-

cution of Suits at Law and for continuing the Supplementary Act thereto

L. H. J.
Liber No. 52
Nov. 5

An Act continuing an Act, entitled, An Act to remedy some Evils relating to Servants

An Act continuing an Act, entitled, A Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province; and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods.

An Act continuing an Act, entitled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread

An Act for imposing an additional Duty of two Pounds per Poll on all Negroes imported into this Province

An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace

An Act continuing an Act, entitled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province, as Spies, or any other evil Design

Your Committee take Leave to observe, That the Act, entitled, An Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers fees, and the Supplementary Acts thereto. And also, An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis, Printer will expire on the first Day of December, seventeen hundred and sixty six. All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, Henry Wilkins, Clk

[*Green's printed Votes & Proceedings, November Session, p. 111, adds "which was read the first time and ordered to lie on the table"*]

On Motion of Col. Tilghman, Leave is given to bring in a Bill for the Support of an Agent for this Province, in Great Britain

Ordered, That Col.^o Tilghman, T. Ringgold, J. Hall, J. Hollyday, and J. Hammond, Esq.^{rs} do prepare and bring in a Bill accordingly.

[*Green's printed Votes & Proceedings, November Session, p. 111, adds "On motion of Col. Tilghman, Leave is given to bring in a Bill for issuing writs of Replevin out of the County Courts Ordered, That, Col. Tilghman, T. Ringgold, J. Hall, J. Hollyday and J. Hammond Esqrs, do prepare and bring in a Bill accordingly"*]

M.^r Thomas Key, a Delegate elected by the free Voters of Saint Mary's County, to serve in the General Assembly of this Province, appeared in the House

L. H. J.
Liber No. 52
Nov. 5

Ordered, That M.^r Baker, M.^r Parran, and Capt. Ware, do go to the Upper House with that Gentleman, to see him qualified. They return, and acquaint M.^r Speaker, they saw that Gentleman qualified, by taking the Oath prescribed by Law, repeating and signing the Test.

The Gentleman took his Seat in the House.

Ordered, That M.^r Baker, M.^r Parran, and Capt Ware, do go with George Plater Esq and M.^r Ward, to the Upper House, to see them take the Oath of Abjuration, prescribed by the Act of Parliament made last Session. They return, and acquaint M.^r Speaker, that those Gentlemen did take the Oath aforesaid and subscribed the same.

Daniel Dulany, Esq from the Upper House, delivers to M.^r Speaker, a Petition of the Magistrates of Frederick County Court praying an Act of Assembly to repair the Prison of said County and to build a Stone Wall to make a Yard round the Prison and to build an House for the Goaler and to assess and levy in the next Levy thirty thousand Pounds of Tobacco for the Purposes aforesaid. And a Petition of the Vestry and Church Wardens of Chester Parish in Kent County praying an Act of Assembly may pass to appropriate about sixteen thousand Pounds of Tobacco, to inclose the Church of said Parish, and to build a Vestry-House; severally indorsed "By the Upper House of Assembly; Referred to the Consideration of the Lower House."

Which Petitions were read here the first Time and ordered to lie on the Table

The House adjourns till two of the Clock

Post Meridiem.

p. 435

The House met.

On Motion of M.^r Jacob, Leave is given to bring in a Bill for Preservation of the Breed of Fish

Ordered, That M.^r Jacob, M.^r Baker, M.^r Tyler, M.^r Plater, and M.^r J. Hale, do prepare and bring in a Bill accordingly.

The Report of the Committee appointed to report what Laws will expire at the End of this Session, was read the second time, and the House concurs therewith

Ordered, That J. Hall, and S. Wilson, Esq.^{rs} and M.^r Allen, do prepare & bring in reviving Bills accordingly

On Motion of S. Wilson Esq Leave is given to bring in a Bill to continue an Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

Ordered, That S. Wilson, Esq M.^r Grahame, M.^r Allen, T. Ringgold, J. Hollyday, and J. Hall, Esq.^{rs} do prepare and bring in a Bill accordingly.

On Motion of J. Hollyday, Esq Leave is given to bring in a Bill to aid defective Common Recoveries

L. H. J.
Liber No. 52
Nov. 5

Ordered, That J. Hollyday, J. Hall, T. Ringgold, S. Wilson, and J. Hammond, Esq.^{rs} Col. Tilghman, and M.^r Allen, do prepare and bring in a Bill accordingly

On Motion of S. Wilson, Esq Leave is given to bring in a Bill to ease the inhabitants of this Province, and to impower the Justices of the several Counties to bind out the Persons therein mentioned

Ordered, That S. Wilson, and J. Hollyday Esq.^{rs} and Col.^o Tilghman do prepare and bring in a Bill accordingly

On Motion of J. Hall, Esq Leave is given to bring in a Bill for the speedy Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis Printer

Ordered, That J Hall, J Hollyday, and J Hammond Esq.^{rs} do prepare and bring in a Bill accordingly

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker a petition of Edward Beall, of Frederick County: And a Petition of Ann Gaither, of the City of Annapolis, severally Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House.

On Motion, Resolved, Nemine Contradicente, That the House will take into Consideration the Want of a Specie, or a Medium of Commerce in this Province, and the most effectual Means of procuring a Passage of the Journal. The Question was put, Whether the Consideration on the aforesaid Resolve, be on the Morrow Morning, or at a future Time? Resolve, That the same be on the Morrow Morning.

The House adjourns till the Morrow Morning at Nine of the Clock

Thursday, November 6.

Nov. 6

The House met.

The Governor communicated to M.^r Speaker the following Message, Viz.^t

Gentlemen of the Lower House of Assembly

Be pleased to accept my Thanks for your very polite Address. The Sentiments you therein express of Loyalty and Gratitude to our most Gracious Sovereign, and of Respect to the Parliament, give me great Pleasure; while your Assurances make me entertain the most sanguine Hopes that uninterrupted Harmony will subsist between the several Branches of the Legislature during the Course of this Session, and that its Issue will be answerable to all our Expectations

Nov. 5. 1766.

Hor.,^o Sharpe

L. H. J.
Liber No. 52
Nov. 6

Daniel Wolstenholme, Esq appeared in the House.

Ordered, That George Plater, Esq and M^r Key, do go with that Gentleman to the Upper House to see him take the Oath of Abjuration prescribed by the Act of Parliament made last Session, They return and acquaint M.^r Speaker, that Gentleman did take the Oath aforesaid and subscribed the same

p. 436

The Order of the Day being read, the House took into Consideration the Want of a Specie, or a Medium of Commerce in this Province, and the most effectual Means of procuring a Passage of the Journal, and after some Time spent in Debates thereon, the House referred the further Consideration thereof until Wednesday next being the 12.th Instant

Ordered, That the Committee of Accounts do not receive any Claims against the Public, after next Tuesday, being the 11.th Instant.

Henry Hollyday, Esq.^r brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act for regulating Innholders and Ordinary Keepers within this Province: Which was read the first Time & ordered to lie on the Table.

M.^r Allen brings in and delivers to M.^r Speaker, A Bill, entitled, An Act, to repeal an Act, entitled, An Act for the Benefit of the Poor, and Encouragement of Industry.

A Bill entitled, An Act, to repeal An Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs and other Purposes therein mentioned.

And a Bill, entitled, An Act to repeal Part of an Act, entitled, An Act for destroying Crows and Squirrels in particular Counties, and of red Foxes in Kent and Queen Anne's Counties; so far as the same extends to Somerset and Worcester Counties

Which Bills were severally read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock

Post Meridiem.

The House met.

M.^r Hanson brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act for licensing Hawkers and Pedlars, which was read the first Time and Ordered to lie on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 7

Friday November 7.

The House met.

The House adjourns till two of the Clock

Post Meridiem.

L. H. J.
Liber No. 52
Nov. 7

The House met.

M.^r Wolman Gibson appeared in the House

Ordered, That Henry Hollyday, Esq do go with that Gentleman to the Upper House, to see him take the Oath of Abjuration prescribed by the Act of Parliament made last Session. He returns, and acquaints M.^r Speaker, that Gentleman did take the Oath aforesaid, and subscribed the same.

On Motion, John Hammond, Esq hath Leave of Absence until Monday Morning next

On Motion, M.^r Hanson, and Capt. Ware, have Leave of Absence.

The House adjourns till the Morrow Morning at 9 of the Clock

Saturday, November 8

Nov. 8

The House met.

All appeared as Yesterday, except J. Hammond, Esq M.^r Hanson, and Capt. Ware.

On Motion of T. Ringgold, Esq Ordered, That an Address be prepared and brought to his Excellency

T. Ringgold, Esq brings in and delivers to M.^r Speaker, an Address to the Governor; which was read, approved, and ordered to be ingrossed.

M.^r Grahame brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act continuing an Act, entitled, An Act for imposing an additional Duty of two Pounds per Poll on all Negroes imported into this Province.

A Bill, entitled, An Act for relieving the Inhabitants of this Province, from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

A Bill, entitled, An Act continuing an Act, entitled, An Act for preventing Indians, disaffected to the British Interest in America, from coming into this Province as Spies, or on any other evil Design.

A Bill, entitled, An Act continuing an Act, entitled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine and Tare of Barrels for Flour or Bread.

A Bill, entitled, An Act continuing an Act, entitled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace p. 437

A Bill, entitled, An Act continuing an Act, entitled, a Supplementary Act to the Act, entitled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province; and to redress

L. H. J. the great Evil accruing to this Province by the Multiplicity of useless
 Liber No. 52 Horses, Mares and Colts, that run in the Woods.
 Nov. 8

A Bill, entitled, An Act continuing an Act, entitled, An Act to remedy some Evils relating to Servants.

Which Bills were severally read the first Time, and Ordered to lye on the Table.

M.^r Wilson brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act continuing An Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees. Which was read the first Time, and Ordered to lye on the Table.

T. Ringgold, Esq brings in, and delivers to M.^r Speaker, the following ingrossed Address, Viz.^t

To his Excellency Horatio Sharpe, Esq Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the House of Delegates

May it please your Excellency,

This House having Occasion to know at this Time, the Amount of the Fines, Forfeitures and Provincial Amerciaments, and Twelve Pence per Hogshead on all Tobaccoes exported out of this Province for the last seven Years, ending at Michaelmas last. In Order to have them with the greater Certainty, and less Difficulty, request your Excellency will be pleased to give Directions to the proper Officers to lay them before this House as soon as conveniently may be.

Which was read and assented to, and signed by Order of the House, by the Honourable Speaker

Ordered, That D. Wolstenholme, Esq and M.^r Allen do acquaint the Governor, this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return, and acquaint M.^r Speaker, that the Governor signified he would receive the Address in half an Hour's Time, in the Council Chamber.

Ordered, That Col. Tilghman, with three more, do present the Address

Col. Hooper, from the Upper House, delivers to M.^r Speaker, a Petition of John Beale Bordley, of Baltimore County, praying Leave to bring in a Bill concerning his Name. And several Petitions of languishing Prisoners in the County Goals of this Province: Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House of Assembly." Which Petitions were read here the first Time, and Ordered to lye on the Table.

The House adjourns till 2 of the Clock

Post Meridiem.

The House met.

L. H. J.
Liber No. 52
Nov. 8

The Governor communicated to M.^r Speaker, the following Message Viz.^t

Gentlemen of the Lower House of Assembly,

Having in my Possession the Accounts which the several Naval Officers rendered of the Duty of Tobacco, by them respectively received for these seven Years past, I send you a brief State thereof, and also a State from his Lordship's Agent, of the Fines and Forfeitures for eleven Years, which will, I presume, be as satisfactory as any he could now exhibit. The Account of the Amerciaments in the Provincial Court, I do not know, but will order an Account thereof to be laid before you

Nov. 8, 1766.

Hor^o Sharpe

The House adjourns till Monday Morning at 9 of the Clock

Monday, November 10.

Nov. 10

The House met.

All appeared as on Saturday, except M.^r Earle, William Murdock, Esq and M.^r Henry Hall.

Thomas Johnson, and Samuel Chase, Esq.^{rs} appeared in the House

On Motion, M.^r Baker hath Leave of Absence.

p. 438

The House adjourns till 2 of the Clock

Post Meridem.

The House met.

M.^r Ward, On Motion, hath Leave of Absence.

M.^r Edmondson, and M.^r Corbin Lee appeared in the House

Ordered That H. Hollyday, Esq and M.^r Fielder Gantt, do go with those Gentlemen to the Upper House, to see them take the Oath of Abjuration prescribed by the Act of Parliament, made last Session. They return, and acquaint M.^r Speaker, the Gentlemen has taken the Oath aforesaid, and subscribed the same.

Benedict Calvert, Esq from the Upper House, delivers to M.^r Speaker the following Message from the Governor Viz.^t

Gentlemen of the Lower House of Assembly,

I am desired to lay before you the inclosed Accounts of sundry Persons in Frederick County, to whom it seems no Allowance hath been yet made for Victualling some Soldiers that were quartered on them during the War. I doubt not, but as the Accounts are proven, and the Complainants are entitled to Satisfaction, you will

L. H. J. make them the same Allowance that hath been made, to others having
 Liber No. 52 similar Demands
 Nov. 10

Nov. 10. 1766

Hor.,^o Sharpe

Inclosing William Beall's, Conrod Crosh's, J. Valentine Shroiner's and T. Lewis's Accounts, and also of several Accounts and Vouchers delivered Volunteers in Capt. M. Lelan's Company, raised on the Frontiers the last Campaign; and the Petitions of William Beall, and others, of Frederick County: Indorsed, "By the Upper House of Assembly. Referred to the Consideration of the Lower House."

A Petition of the Honble C. Goldsborough, Esq was preferred to this House; Read and Ordered to lye on the Table.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker a Petition of the Rector, Vestrymen, and sundry of the Inhabitants of Somerset Parish, in Somerset County: and several Petitions from languishing Prisoners in several County Goals in this Province; severally indorsed: "By the Upper House: Referred to the Consideration of the Lower House." Which Petitions were here read the first Time, and ordered to lye on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 11

Tuesday, November 11.

The House met.

M.^r Buchanan hath Leave of Absence.

On reading the Petition and Accounts of William Beall, John Valentine Shroiner, Conrod Crosh, and T. Lewis, sent with his Excellency's Message Yesterday: Ordered, That those Accounts be allowed, at the Rate of 9.^d per Day, for Provisions furnished the Soldiers in last Campaign.

The Petition of Edward Beall, of Frederick County, was read the second Time, and thereupon Ordered, That the Petitioner be allowed £250 in the Journal of Accounts; the Sum of £100 to be applied to his own Use, and £30 to each of his five Sisters, Daughters of Capt. Alexander Beall.

The Petition of David Ross was preferred to this House, praying to have an Assignment of an Allowance, ordered by this House to be made on the Journal of Accounts to Capt. Evan Shelby, to be inserted therein, in his, the said David Ross's Name: Which Petition was read the first and second Time, and thereupon Ordered, That the Committee of Accounts do make an Allowance to the said David Ross, according to the Prayer in his said Petition.

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker a Petition of Levin Wolford, a Petition of Lenas Martin, and a Petition of James Barron, languishing Prisoners; severally in-

dorsed. "By the Upper House of Assembly: Referred to the Consideration of the Lower House of Assembly." Which Petitions were severally read here the first Time and ordered to lye on the Table

L. H. J.
Liber No. 52
Nov. 11
p. 439

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

M.^r Murdock, Esq^r app^d in the House.

The Petition of the Vestry and Church Wardens of Chester Parish, in Kent County, and sundry other Inhabitants of the said County, was read the second Time, and Leave given to bring in a Bill according to Prayer, with Leave to add a Clause directing and empowering the Vestry of Saint Paul's Parish, to pay to the Order of the Vestry of Chester Parish, what of the Savings of that Parish, to November, 1765, is in their Hands, and give an Order on the Sheriff of Kent County, to pay to the said Vestry of Chester Parish, or their Order, what of the Savings is in his Hands, towards the Building of the said Chester Parish Church; agreeable to the Intention of the Act of Assembly, entitled, An Act for erecting a new Parish in Kent County, called Chester Parish, and for building a Parish Church, and enlarging a Chapel of Ease within the said new Parish:

Ordered, That T. Ringgold, Esq^r and Col: Lloyd, do prepare and bring in a Bill accordingly

On Motion of Cal.^o Tilghman, Leave is given to bring in a Supplementary Bill to the Act, for amending the Staple of Tobacco &^a

Ordered, That J. Hollyday, J. Hammond, T. Ringgold, T. Johnson, Esq.^{rs} and M.^r Grahame do prepare and bring in such Bill

Col. Tilghman brings in, and delivers to M.^r Speaker, the Supplementary Bill to the Act for amending the Staple of Tobacco, which was read the first Time.

On Reading the second Time, the Bill, entitled, An Act continuing an Act, entitled, An Act for amending the Staple of Tobacco &^a The Question was put, That the said Bill do pass? Resolved in the Affirmative.

For the Affirmative

Mess. ^{rs}	Plater,	Dent,	Lee,
	Wolstenholme,	Wilson,	Murdock,
	Key,	W. Adams,	J. Hall,
	Ringgold,	Winder,	Tilghman,
	Lloyd,	Edmondson,	J. Hollyday,
	E. Gantt,	H. Hollyday,	Allen.
	Grahame,	Gibson,	
	Parran,	Sulivane,	

[22]

L. H. J.
Liber No. 52
Nov. 11

For the Negative

Mess. ^{rs}	{	Worthington,	Cockey Deye,	Wright,	[12]
		Johnson,	Jacob,	F. Gantt,	
		Hammond,	Tyler,	Chapline,	
		Smallwood,	Chase,	Smith.	

Richard Lee, Esq from the Upper House delivers to M.^r Speaker, the Petition of the Vestry of Trinity Parish, in Charles County, and the Freeholders of Benedict Hundred in said Parish, a Petition of James Elliott, & others, Inhabitants of Baltimore County, a Petition of James Smith, Prisoner in Saint Mary's County Goal, and a Petition of Mary Hicks, a Prisoner in Baltimore County Goal; severally indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House." Which Petitions were read here the first Time, and ordered to lye on the Table.

The Bill entitled, An Act continuin^g an Act, entitled, An Act for amending the Staple of Tobacco &^a was sent to the Upper House by M.^r Grahame, and M.^r Sulivane.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act continuin^g an Act, entitled, An Act for amending the Staple of Tobacco &c.^a Indorsed, "By the Upper House of Assembly, Nov.^r 11.th 1766. Read the first and second Time by especial Order and will pass.

Signed by Order U. Scott, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing.

p. 440 Col. Hooper from the Upper House, delivers to M.^r Speaker, a Petition of Thomas Drugan, of Kent County; Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House." Which Petition was read here the first Time and ordered to lye on the Table.

The Bill, entitled, An Act to repeal Part of an Act, entitled, An Act for destroying Crows and Squirrels in particular Counties, &c.^a was read the second Time and will pass, and was sent to the Upper House by M.^r Allen, and Samuel Wilson, Esq

D. Dulany, Esq from the Upper House delivers to M.^r Speaker, the Bill, entitled, An Act to repeal Part of an Act, entitled, An Act for destroying Crows and Squirrels in particular Counties, &c.^a Indorsed "By the Upper House of Assembly, Nov. 11, 1766. Read the first and second Time, by especial Order, and will pass."

Signed by Order, U. Scott, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing

The Bill entitled, An Act continuin^g An Act, entitled, a Supplementary Act to the Act, entitled, An Act ascertainin^g the Heighth of Fences, &c.^a The Bill entitled, An Act continuin^g an Act, entitled,

An Act to remedy some Evils relating to Servants. The Bill entitled, An continuing an Act, entitled An Act for the speedy Recovery of small Debts out of Court &^a And the Bill, entitled, An Act continuing an Act, entitled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, &^a were severally read the second Time, and will pass, and were sent to the Upper House by M.^r Edmondson, and M.^r Jacob

L. H. J.
Liber No. 52
Nov. 11

A Bill, entitled, An Act for the Preservation of the Breed of Fish, was read the first Time and Ordered to lye on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock

Wednesday, November 12

Nov. 12

The House met.

All appeared, except M.^r Buchanan, and M.^r Baker

M.^r Earle appeared in the House.

S. Wilson, and J. Hollyday, Esq.^{rs} have Leave of Absence.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act continuing an Act, entitled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, &^r

The Bill, entitled, An Act continuing an Act, entitled, A Supplementary Act to the Act, entitled, An Act ascertaining the Height of ffences &c.^a

The Bill, entitled, An Act continuing an Act, entitled, An Act to remedy some Evils relating to Servants.

And the Bill, entitled, An Act continuing an Act, entitled, An Act for the speedy Recovery of small Debts out of Court, &^{ca} Which Bills were severally indorsed, "By the Upper House of Assembly, Nov. 11, 1766: Read the first and second Time, by an especial Order, and will pass." The aforesaid Bills were severally read here, and passed for ingrossing

On Motion of S. Chase, Esq Ordered, That the Petition of the Inhabitants of Baltimore Town, in Baltimore County, referred last Session to the Consideration of this present Session of Assembly, be read on Tuesday Morning next, and that M.^r Thomas Harrison of said Town, Merchant, have Notice thereof

Col. Hooper from the Upper House, delivers to M.^r Speaker, a Petition of Wright Mills, of the City of Annapolis; Indorsed "By the Upper House of Assembly: Referred to the Consideration of the Lower House of Assembly" Which Petition was here read and ordered to lye on the Table.

The Petition of the Rector, Vestrymen, and sundry Inhabitants of Somerset Parish, in Somerset County, was read the second Time, Granted, and Leave given to bring in a Bill according to Prayer.

L. H. J. Ordered, That S: Wilson, Esq; Capt. Winder, M.^r W. Adams, &
 Liber No. 52 Mr. W. Allen, do prepare and bring in a Bill accordingly.
 Nov. 12

The Petition of the Inhabitants of Trinity Parish, in Charles County, was read the second Time, and granted.

Ordered, That Leave be given to bring in a Bill according to Prayer, and that M.^r Smallwood, M.^r Dent, and J. Hall, Esq; do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock.

Post Meridiem

The House met.

M.^r Henry Hall appeared in the House.

p. 441 The Order of the Day being read, the House referred the further Consideration of the Want of a Specie, or Medium of Commerce, in this Province, and the most effectual Means of procuring a Passage for the Journal until Friday next.

S. Wilson, Esq; brings in and delivers to M.^r Speaker, a Bill, entitled, An Act to ease the Inhabitants of this Province, and to impower the Justices of the several Counties, to bind out the Persons therein mentioned Apprentices: Which was read the first Time and ordered to lye on the Table

On reading the second Time the Bill, entitled, An Act for regulating Innholders and Ordinary Keepers within this Province, the Question was put, That the Money to be paid for every Ordinary Keeper, for License to keep Ordinary in the City of Annapolis, be four Pounds? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	{	Key,	W. Adams,	Lee,	
		E. Gantt,	Winder,	Jacob,	
		Grahame,	Edmondson,	Tyler,	
		Parran,	H. Hollyday,	Allen,	
		Dent,	Gibson,	F. Gantt,	
		Smallwood,	Sulivane,	Chapline,	
		Wilson,	Cockey Deye,	Smith.	[21]

For the Negative

Mess. ^{rs}	{	Wolstenholme,	Hammond,	J. Hall,	
		Ringgold,	Johnson,	J. Hollyday,	
		Lloyd,	Earle,	Wright.	
		Worthington,	Murdock,		[13]
		H. Hall,	Chase,		

On Motion, the Question was put, That the Fines and Forfeitures by the aforesaid Act, entitled, An Act for regulating Innholders and

Ordinary Keepers within this Province, be paid to the respective Treasurers of the Western and Eastern Shores, and to be applied as the General Assembly of this Province shall direct? Resolved in the Affirmative

L. H. J.
Liber No. 52
Nov. 12

For the Affirmative

Mess. ^{rs}	Plater,	Parran,	Chase,	
	Wolstenholme,	Wilson,	J. Hall,	
	Lloyd,	W. Adams	Wright,	
	Worthington,	Winder,	Allen,	
	H. Hall,	H. Hollyday,	F. Gantt	
	Johnson,	Gibson,	Chapline.	
	E. Gantt,	Sulivane,		[22]
	Grahame,	Lee,		

For the Negative

Mess. ^{rs}	Ringgold,	Cockey Deye,	Tyler,	
	Dent,	Earle,	Smith.	
	Smallwood,	Murdock,		[10]
	Edmondson,	Jacob,		

The House adjourns till the Morrow Morning at 9 of the Clock

Thursday November 13.

Nov. 13

The House met.

All appeared as Yesterday, except J. Hollyday Esq

On Motion, M.^r Edmondson is added to the Committee of Elections and Privilege

S. Wilson, Esq brings in, and delivers to M.^r Speaker, an ingrossed Bill, entitled, An Act continuing An Act entitled, An Act for amending the Staple of Tobacco &^a And a Bill, entitled, An Act, to repeal Part of an Act, entitled, An Act for destroying Crows and Squirrels in particular Counties &c.^a Which Bills were severally read and assented to, and sent to the Upper House by M.^r Lee, and D. Wolstenhole, Esq

The Bill, entitled, An Act for regulating Innholders and Ordinary Keepers within this Province, was read the second Time, and will pass, and was sent to the Upper House by M.^r Wilson, and M.^r Worthington.

T. Ringgold, Esq brings in and delivers to M.^r Speaker, a Bill, entitled, An Act for the building a Vestry House at Chester Church in Kent County &c.^a Which was read the first and second Time by especial Order and will pass, and was sent to the Upper House by T: Ringgold, Esq and Col. Lloyd.

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L. H. J.
Liber No. 52
Nov. 13

M.^r Sulivane hath Leave of Absence.

The House adjourns till 2 of the Clock

Post Meridiem.

The House met.

M.^r Hanson appeared in the House.

M.^r Beall appeared in the House.

Ordered, That M.^r Jacob, and M.^r Tyler, do go with that Gentleman to the Upper House, to see him take the Oath of Abjuration, prescribed by the Act of Parliament made last Session. They return, and acquaint M.^r Speaker, that Gentleman did take the Oath aforesaid, and subscribed the same.

T. Ringgold, Esq hath Leave of Absence

R. Lee, Esq from the Upper House, delivers to M.^r Speaker, the following Paper Bills Viz.^t

An Act continuing an Act, entitled, An Act, for amending the Staple of Tobacco &^a And the Act to repeal Part of an Act, entitled, An Act for destroying Crows and Squirrels in particular Counties &c.^a severally indorsed, "By the Upper House of Assembly," The ingrossed Bill whereof this is the Original, is read and assented to.

B. Calvert Esq from the Upper House delivers to M.^r Speaker, the Bill, entitled, An Act for the building a Vestry at Chester Church in Kent County, Nov. 13, 1766 Read the first and second Time, by especial Order, and will pass

Signed by Order, U. Scott, Cl. Up. Ho.

Which Bill was read here and passed for ingrossing

D. Dulany, Esq and Col. Hooper, from the Upper House, acquaint M.^r Speaker, that the Governor requires the immediate Attendance of the Lower House in the Council Chamber

M.^r Speaker left the Chair, and with the Members of the Lower House, went to the Council Chamber, and presented to the Governor, an ingrossed Bill, entitled, An Act to repeal Part of an Act, entitled, An Act for amending the Staple of Tobacco &c.^a An ingrossed Bill, entitled, An Act to repeal Part of an Act for destroying Crows and Squirrels &^a Which Bills his Excellency past into Laws in the usual Manner. M.^r Speaker, with the Members of the Lower House, returned, and resumed the Chair.

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 14

Friday, November 14.

The House met.

All appeared, except M.^r Ringgold.

M.^r Lecompte, and Capt. Selby appeared in the House.

L. H. J.
Liber No. 52
Nov. 14

Ordered, That M.^r Allen, and M.^r Sulivane, do go to the Upper House with those Gentlemen, to see them take the Oath of Abjuration appointed by Act of Parliament, &^a They return, and acquaint M.^r Speaker, those Gentlemen had taken the Oath aforesaid, and subscribed the same.

M.^r Grahame brings in and delivers to M.^r Speaker the following ingrossed Bills, N.^o 3, 4, 5, 6. Which were severally read and assented to, and sent to the Upper House, with the Paper Bills, by M.^r Edmondson and Capt. Winder.

S. Wilson, Esq brings in and delivers to M.^r Speaker, a Bill, entitled, An Act to empower the Justices of Somerset County, to levy on the Taxable Inhabitants of Somerset Parish in the said County, the Quantity of one hundred and forty four thousand Pounds of Tobacco, for the Uses therein mentioned Which was read the first and second Time by especial Order and will pass

On Motion of M.^r Grahame, Leave is given to bring in a Bill for the Adjournment of Frederick County Court

Ordered That M.^r Grahame, G. Plater, and H. Hollyday, Esq.^{rs} do prepare and bring in a Bill accordingly.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker the Petitions of several languishing Prisoners in the County Goals of this Province. Indorsed. "By the Upper House of Assembly: Referred to the Consideration of the Lower House." Which were here read the first Time and ordered to lye on the Table. p. 443

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, the Paper Bills, N.^o 3, 4, 5, 6, Indorsed, "By the Upper House of Assembly Nov.^r 14, 1766, the ingrossed Bill whereof this is the Original, is read and assented to

Signed by Order, U Scott, Cl Up. Ho."

John Hall, Esq brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act for issuing Writs of Replevin out of the County Courts of this Province. And a Bill, entitled, An Act for raising

Pence Sterling for every Hogshead of Tobacco exported out of this Province for the Support of an Agent at London, for the Service of this Province: Which was read the first Time and ordered to lye on the Table

On Motion of D. Wolstenholme, Esq Leave is given to bring in a Bill, to oblige Ships and Vessels coming into this Province, to perform Quarentine

Ordered, That D. Wolstenholme, W. Murdock, G. Plater, T. Johnson, Esq.^{rs} and M.^r Fielder Gantt, do prepare and bring in a Bill accordingly

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Petition of David Murray, a languishing Prisoner in Worcester

L. H. J. County Goal Indorsed, "By the Upper House of Assembly: Re-
Liber No. 52 ferred to the Consideration of the Lower House."
Nov. 14

Which was here read the first Time and ordered to lye on the Table

An ingrossed Bill, entitled, An Act for the building a Vestry House at Chester Church, in Kent County, and inclosing the Church Yard, and for other Purposes, was read and assented to, and sent to the Upper House with the Paper Bill by Col. Lloyd, and M.^r Grahame.

The House adjourns till 2 of the Clock

Post Meridiem.

The House met.

Capt. Ware, appeared in the House.

Col. Hooper, from the Upper House, delivers to M.^r Speaker, the Paper Bill, entitled, An Act for the building a Vestry House at Chester Church, in Kent County, and inclosing the Church Yard; Indorsed, "By the Upper House of Assembly, Nov.^r 14, 1766: The ingrossed Bill, whereof this is the Original, is read and assented to.

Signed by Order, U. Scott, Cl. Up. Ho."

G. Plater, Esq brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act for the Adjournment and Continuance of Frederick County Court: Which was read the first and second Time, by an especial Order, and will pass.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, a Bill, entitled, An Act to repeal Part of an Act, entitled, An Act for the Encouragement of such Persons as shall undertake to build Water Mills: Indorsed, "By the Upper House of Assembly, Nov. 14, 1766: Read the first and second Time, by an especial Order, and will pass.

Signed by Order U. Scott, Cl. Up. Ho."

Which Bill was read here the first Time, and Ordered to lye on the Table

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 15

Saturday, November 15.

The House met.

All appeared as on Yesterday, except M.^r Sulivane, S. Wilson, Esq and M.^r Key.

The Petition of the Magistrates of Frederick County, was read the second Time, and Leave is given to bring in a Bill according to Prayer

Ordered, That M.^r Fielder Gantt, H. Hollyday, and J. Hall, Esq.^{rs} and Capt. J. Chapline, do prepare and bring in a Bill accordingly.

L. H. J.
Liber No. 52
Nov. 15

William Murdock, Esq. brings in, and delivers to M.^r Speaker, the following Report, Viz.^t

By the Committee appointed by the Honourable House, to enquire and report to the House by what Law or Custom the Lord Proprietary of this Province receives the Fines, Forfeitures, and Amerciaments arising in the Courts of Justice; and also the Twelve Pence per Hogshead on all Tobaccoes exported out of this Province; the Annual Amount of such fines, forfeitures, Amerciaments, and Twelve Pence per Hogshead, for the last seven Years, to what Uses and Purposes the same have been applied; with their Opinion as to the Justice of such Receipt and Application; and that the said Committee have Power to send for Persons, Papers, and Things, necessary to perfect such Enquiry and Report

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Your Committee, in Pursuance of the Directions of the Honourable House, do find, that King Charles the First, by Charter, dated in the 8.th Year of his Reign, Annoque Domini 1633, amongst other Things, Granted to Cæcilius Calvert, first Lord Proprietary of the Province of Maryland, "All and singular such, and as ample Rights, Jurisdictions, Privileges, Prerogatives, Royalties, Liberties, Immunities and Royal Rights, and Temporal Franchises, whatsoever, as well by Sea as by Land, within the Regions, Islands, Islets, and Limits aforesaid, to be had, exercised, used, and enjoyed, as any Bishop of Durham, within the Bishoprick or County Palatine of Durham, in our Kingdom of England, ever heretofore hath, had, held, used, or enjoyed, or of Right could or ought to have, hold, use, or enjoy." Under this Charter the Lord Proprietary in the Infancy of this Province, took the Fines and Forfeitures, arising at the Common Law, as Supreme Magistrate; and, having in his Hands all the executive Powers of Government, his Successors have continued, in like Manner, to receive them, either by themselves or their Governors here, down to the Present Time, without any Interruption that we know of, but only during that Period in which the Government was in the Hands of the Crown, when the Fines and Forfeitures were received by Officers under the Crown, and not collected by the Agent of Lord Baltimore as Part of his private Fortune and Estate, the forfeitures appropriated by particular Acts of Assembly to the Support of Government, and given to the Lord Proprietary from Time to Time for that Purpose, have likewise been received in Virtue of those Acts: To what Uses the said Fines and Forfeitures arising at the Common Law, or under particular Acts of Assembly, have for some Years past been applied, your Committee are not informed, but have Reason to think they have been disposed of at the Pleasure of the Lord Proprietary for the Time being, and not appropriated to any public Use whatever.

L. H. J.
Liber No. 52
Nov. 15

Your Committee observe, that after the Government came into the Hands of the Lord Proprietary, in the Year 1716, it was thought necessary to pass an Act for transferring the Payment of all such Fines and Forfeitures, as should thereafter arise and happen, upon the Breath of any the Penal Laws of this Province, to the Right Honourable the Lord Proprietary; by which Act, amongst other Things, it was enacted, that “Where, by any of the Laws of this Province, any Fines, Penalties, or Forfeitures, are made payable to, or recoverable by, the King’s Majesty, or in his Name, to any the Uses in the same Laws expressed, all such Fines, Forfeitures, or Penalties, shall henceforward be payable to the Right Honourable the Lord Proprietary of this Province, his Heirs and Successors, and be recoverable by him or them, or in his or their Name, to the same Uses as by those Laws are expressed:” From whence your Committee infer, that the Lord Proprietary was not, at that Time, looked upon as Successor to the Crown in the Government of this Province, so as to intitle him to recover Fines and Forfeitures limited to his Majesty, his Heirs and Successors, without the Aid of a particular Act of Assembly. By the Act of Assembly made in the Year 1722, Amerciaments are imposed on the Suitors both in the Provincial and County Courts; for their false Clamour in the County Courts.

P. 445 They are levied by the Justices, Annually, for the Use of the Counties; those arising in the Provincial Court, are to be applied as the Governor and Council shall direct; and have been received, by the Officers of the Lord Proprietary from time to time, as they became due, and at some times have been given to the Clerk of the Council; but, how disposed of at present, your Committee do not know.

Your Committee beg Leave to observe, that in the Year 1745, an Address was presented to the Governor, by the then Lower House, desiring an Account to be laid before them of all Fines, Forfeitures, and Amerciaments, that had arisen and been paid; and how and to what Uses applied, in Support of this Government, from the Year 1715, to that Time: And in the Course of Messages and Addresses on that Subject, the Lower House do plainly assent, That Fines and Forfeitures by the Common Law, and by Act of Assembly, levied on the People, are taken by his Lordship, or his Officers, under the Authority lodged in him as Governor, and having the executive Power of the Laws of this Province; and, as such, that he, or his Officers for him, were authorized to receive and take those several Articles in Trust, and for the Benefit only of that People among whom they were levied; and, that altho’ his Lordship, as Governor, or those he should think fit to depute for that Purpose, had the Disposal of those several Articles; yet, ’twas contended, that Power in it’s Nature was but restrained, and that he was not at Liberty to put them into his own Pocket, nor to dispose of them, otherwise

than for the Ease and Welfare of that People for whose Benefit and Protection that Trust was raised: To which Thomas Bladen, Esq at that Time Governor, was pleased, amongst other Things, to answer, "That, as to the Common Law Fines, the Proprietary of this Province has the same Right to them as the King to the Common Law Fines, &c.^a in the Courts of Westminster Hall, and Lords of Manors, and other Seigniories to those arising in their Courts, Manors, and Seigniories: Those Fines, &c.^a were always reckoned as much a Part of the King's Revenue, unaccountable to Parliament, as his Demesnes, and the Fines, &c.^a due to the several Lords, received by them as part of their Estates, by the same Right as their Rents, and with which their Tenants have nothing to do; such Fines, &c.^a due to the King are amongst his Casual Revenue next to his Firmæ Majores & Minores, and stiled in the Law Debita Atterminata, and so called because Terms or Times of Payment were assigned by his Writ, and these Payments were on large Fines and Amerciaments affixed Secundum Qualitatem delecti & Quantitatem contentimenti. I mentioned so much of this Part of the Law, that those Gentlemen in your House who make the Law their Study, may consult their Books, which will certainly inform them of the Truth of what I now say, by which Means they may satisfy themselves and you, that what is urged by your Address of the Common Law Fines, &c.^a being recorded by the Proprietary in Trust, for and to the Use of the People, has no Foundation in Law or Reason; but, that the King has an absolute, uncontrollable Title to this Branch of his Casual Revenue, the Proprietary of this Province to the Common Law, &c.^a or any other unappropriated Fines here, and Lords of Manors in England to those in their Courts, and in their Manors, and may dispose of them with as much Liberty, as any Person in the World can his own private Fortune, and Estate, nor can your Supposition, of the Proprietary being divested of the Government, alter the Case, for it be no otherwise than if the Lord of a Manor, or Possessor of an Estate, should alienate, or be deprived of that Estate, the Rents, Privileges, and Emoluments of that Manor and Estate, would be vester in the next Possessor; but, surely, that Change would not give a Right in those Rents, Privileges, or Emoluments, to any other Person than to such Possessor; for, altho' the King is intitled to the Common Law Fines Ratione Coronæ, the Proprietor Ratione Domini, the Lords of Manors Ratione Manerii, and private Persons to their Rents by Reason of their Estates, yet none of those Considerations make them accountable, either to Parliament, People, Tenants, or any other Person, for what they so receive for those Fines accruing by Breaches of the King's Peace, and Violation of his Laws, where they are not particularly appropriated by positive Laws, must, in the Nature of them, belong solely to his Majesty, who is reckoned in the Eye of the Law, to be solely injured by such Transgression."

L. H. J.
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Nov. 15

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Your Committee, having enquired into the Nature, original Institution, and Establishment of the Revenues of the Crown, as well arising from the Demesne Lands, as what is here called the Casual Revenue, are of Opinion, That, from the Principles of the English Constitution, they were vested in the Royal Person, to support his Dignity, and maintain his Power, as an affluent Supply for the ordinary Expenses of his Government, and were provided for the Support of public Authority, in a Manner the least burthensome to Individuals, and considered as a Portion which each Subject contributed of his Property to secure the Remainder; and, for those Ends and Purposes, those Rights and Revenues were annexed to the Supreme Power, by the Laws & Customs of the State; and, your Committee are the more confirmed in this Opinion, by finding that in former Times the Kings of England did constantly and uniformly defray the Expenses of, and support the Honour and Dignity of the Crown, and every Branch of the Civil Government, such as the Payment of their Officers of State, their Judges and other Matters respecting the Executive Powers of Government, out of those Revenues, without calling on the People to raise Monies on themselves for those Purposes. In latter Times, when by improvident Grants, &c^a to private Persons, they were so impaired as not to remain sufficient to support the Honour and Dignity of the Crown, and the Expenses of the Civil Government, and that Demands were made on the People for a further Supply; the Parliament took Care that an Account should be rendered of all those Crown Revenues that were left, the Demesne Lands not excepted, and when they substituted other Funds, by Taxes on the People to make up that Deficiency, and to establish a sufficient Annual Sum, together with those Revenues still left, to support the Honour and Dignity of the Crown, and the Expenses of the Civil Government. They at the same Time took Care to provide, that for the future it should not be in the Power of the Kings and Queens of the Realm, to grant away any of those Revenues annexed to the Crown by the Constitution for any Time longer than their own Lives, nor Lease or let the Crown Lands longer than a certain Number of Years, and reserving Rents, by which Means and by Escheats and Forfeitures that might hereafter happen, and by the Determination of many particular Estates, whereon many Reversions and Remainders in the Crown did depend, the Revenues of the Crown might again be increased, and consequently the Burthen on the Estates of the Subject might be eased and lessened in all future Provisions to be made for the Expences of the Civil Government, and by that Means the Crown would come to the next Successor without any of those Revenues then left, being further impaired, and with all future casual Additions. This, together with the Recitals in the several Revenue Bills, and those for taking and stating the public Accounts, does clearly in the Opinion of your Com-

mittee, evince, that those Revenues were deemed, in the Sense of both King and Parliament, of a public Nature, and for the public Use, and accordingly, we find, have been enquired into and accounted for under the Acts of Parliament last mentioned, and more particularly as to Fines and Forfeitures, they are looked upon, as Part of the Profits arising from the King's Courts of Justice, and are said to go to the King, for the Trouble and Charge he is at in holding Courts & bringing Offenders to Justice. This being the Case with respect to the Crown Revenues, your Committee are of Opinion, that the Lords Proprietary of this Province, cannot claim greater Advantages, Prerogatives, and Immunities, than belong to the Kings of Great Britain, nor ought they to expect the People here to support the Civil Government in every Branch thereof, whilst they dispose at their Will and Pleasure, of all the Revenues appropriated by the Constitution of the Mother Country to public Use. And, altho' our Ancestors did, very improvidently, in the Infancy of the Country, when these Incomes and Revenues of the Lord Proprietary, arising from the Courts of Justice, and otherwise, were inconsiderable, make a perpetual Provision for many of those Expenses, yet when the People are called upon for a further Supply, towards the Support of any of the Officers of his Lordship's Government, not provided for by perpetual Laws, your Committee are of Opinion, that in such Case the People have a Right inherent in the Constitution to call on his Lordship, or his Governor, to render an Account of the Monies arising from those Revenues, and to have the same applied in Case of their Burthens, unless it should appear that those Monies have been already applied to public Uses, and that his Lordship has not the same absolute, uncontrollable Right to them, as to any Part of his private Estate, as has been alledged. And your Committee are also of Opinion, That tho' the Act of Assembly does direct, that the Provincial Amerciaments shall be applied as the Governor and Council shall direct, yet, the Legislature did intend, to such public Use as they should direct, and never meant to give them a private Property therein; and under that Idea we doubt they have heretofore directed them to be paid to the Clerk of the Council, towards his Support as an Officer of the Government. And your Committee are clearly of Opinion, That whenever new Taxes are demanded to defray the Expenses of Government, it becomes the Duty of the Representatives of the People, to have an Account rendered of all Provincial Amerciaments, as well as of all Fines and Forfeitures at the Common Law, and of all Forfeitures received in Virtue of any Laws of this Province limiting the same to the Lord Proprietary, for the Support of Government, that their Constituents may see that all those Monies are rightly applied for the Use declared, and the Province in General thereby eased in the Taxes laid on them, or attempted to be laid on them, for supporting the Expenses of Government

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And your Committee have the Satisfaction of seeing their Sentiments on the Subject strongly confirmed by the Proceedings of the several Branches of the Legislature in the Year 1715 and 1716, all agreeing in the Application of Fines, Forfeitures, and Amerciaments, to public Uses, as may appear by Extracts taken from our own Journals, and annexed to this Report. And your Committee do find by the Estimates laid before them, in Consequence of an Address to his Excellency the Governor, that the Twelve pence per Hogshead Duty on Tobacco, for seven Years, from the 29.th Day of September, seventeen hundred and fifty nine, to the 29.th Day of September, seventeen hundred and sixty five, both inclusive, amounts in the whole, to the Sum of Nine thousand two hundred and sixty three Pounds one Shilling and four Pence half Penny Sterling; and that the Fines and Forfeitures, received from Michaelmas seventeen hundred and fifty three to Michaelmas seventeen hundred and sixty three, both inclusive, amount in the whole, to the Sum of forty two Pounds twelve Shillings and Eleven Pence Sterling; and fifteen hundred and Eighty six Pounds Seven Shillings and seven Pence Current Money; and that the Provincial Amerciaments, from the Year seventeen hundred and fifty nine, to the Year seventeen hundred and sixty five, both inclusive, amount in the whole, to the Sum of forty two thousand nine hundred Pounds of Tobacco.

Your Committee beg Leave to inform the Honourable House, that, so far as they have prosecuted their Enquiry with Respect to the Twelve Pence per Hogshead, claimed by the Lord Proprietary of this Province, they are of Opinion, that the same has been taken, and received from the People, without any just foundation, or existing Law, to support it, tho', in Order to a fuller Investigation of this Matter, and to afford the House the requisite Satisfaction of the Grounds whereon they have formed their Opinion, a longer Time and further Inspection of the ancient Laws, Records, and Journals, are conceived to be absolutely necessary. Your Committee have therefore thought proper to bring in this separate Report, chiefly relative to the fines, forfeitures, and Amerciaments, hoping that the Length, Importance, and Difficulty of the Work, will excuse them, at present, with Regard to the twelve Pence per Hogshead

All which is humbly submitted to the Consideration of the Honourable House

Signed per Order, Henry Wilkins, Cl.

p. 448 Extracts from the Journal of the Lower House of Assembly
The following Message being prepared, is ordered to be entered, Viz.^t

By the House of Delegates, May 5, 1715.

May it please your Excellency,

By an Act of Assembly of this Province entitled, An Act for Amerciaments in the Provincial and County Courts, made the twenty

third Day of September 1704, all Amerciaments in the Provincial Court are to be employed as the Governor and Council think fit; but, it not appearing to this House, how the same have been employed, or that they have been accounted for since the passing that Act, humbly pray your Excellency will order an Account of them to be laid before us this Session.

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Signed per Order, Thomas Macnemara, Cl. Lo. Ho.

Sent up to his Excellency the Governor by Capt. Dent, and M.^r Harrison: They return and say they delivered the same.

Col. William Whittington from the Honourable Council, delivers to M.^r Speaker, the following Message Viz.^t

By his Excellency the Governor and Council in Assembly,
May 5, 1715.

Gentlemen,

On Receipt of your Message, by Capt. Dent, and M.^r Harrison, his Excellency has been pleased to enquire how the Provincial Amerciaments have been disposed of, and was informed by the Clerk of this Board, that, by an Order in Council, made in his Excellency Governor Nicholson's Time, the said Provincial Amerciaments were settled on the then Clerk of the Council, M.^r Henry Denton, the better to enable him to keep a Clerk, and, afterwards, upon the present Clerk's coming into the Office, he had Execution granted to him, at two several Times for them, once in his Excellency, Col. Blakiston's Time, and once during Col. Seymour's Government, by Virtue whereof he has received a small Quantity of Tobacco, scarce worth his Trouble and Charge in making them out to the several Counties, and will be ready to render an Account of what he has received thereof

Signed p Order, W. Bladen, Cl. Council.

With which the House is satisfied.

The following Address being prepared, is ordered to be entered, Viz.^t

By the House of Delegates, May 13, 1715

Upon Perusal of 26.th Article of her late Majesty's Instructions concerning the Twelve Pence per Hogshead, given for the Use and Support of the Government of this Province, to be applied by your Excellency in the Manner as in the said Article is directed; and, on Perusal of the Accounts of John Rousby, Esq one of the Officers that collected 3.^d per Hogshead, Part of the said 12.^d applied for purchasing Arms and Ammunition, for the Province, in Patuxent District; it appears, that for many Years by past, that Part of the said Impost, applied for Arms, has been very much impaired, and the Ends for which it was designed, in a great Measure frustrated, by Reason of the extravagant Salary of a hundred Pounds Sterling

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per Annum, taken out of that 3.^d by the said John Rousby, as Receiver of the said 12.^d in Patuxent District. This House humbly offers unto your Excellency, that the said Duty of 12.^d per Hogshead is not chargeable with that Salary, but rather that the fines and forfeitures arising in this Province, if duly collected and applied, are sufficient to defray the Charge of the Collection of the Revenue in all the Districts of this Province. And, whereas this House has been informed, that, besides the said John Rousby, one or more are appointed Receivers of the Revenue in this Province. It is further proposed, that the Number of Officers, for the said Collection of 12.^d be reduced to one. And we, likewise, with all Submission, pray, that your Excellency will be pleased to communicate to us, in such Manner as shall seem most meet and expedient to your Excellency, who are the present Collectors of his Majesty's Revenue, in all the Districts of this Province, by what Authority they have or do receive the same, and how they are paid their respective Yearly Salaries. All which it is hoped, will tend to the Redress of the Misapplication of that Part of the said 12.^d applied for Arms, &^a and put this House in a Condition of judging in Pursuance of the 27.th Article of the said Instructions, What is further necessary to be done for the Support of this Government, for the Honour and Maintainance of which, we think ourselves very nearly concerned, and shall be ready upon all Occasions to give Demonstration of the same.

Signed per Order, Thomas Macnemara, Cl. Lo. Ho.

Sent up to his Excellency the Governor and Council, by M.^r Tyler, Col. Mackall, Col. Maxfield, Major Wilson, Major Woolford, Col. Herman, M.^r Blay, and Capt. Harris. They return and say they delivered the said Address.

Col.^o Thomas Addison, and Col.^o Richard Tilghman, from the Hon. Council, deliver M.^r Speaker, the following Message, Viz.^t

By his Ex^cy the Governor & Council, in Assembly, May 14, 1715
Gentlemen.

In Answer to your Message, by M.^r Tyler, and several others, relating to the Revenue, we acquaint you, that his Excellency, and this Board, do concur with your House, that the Revenue of the one Moiety of 2/ per Hogshead on Tobacco, exported, being wholly appropriated by his most sacred Majesty ought not to be burthened with the Payment of any Salary to his Majesty's Receivers, but that their Salaries ought to be paid out of the Fines and Forfeitures, falling in this Province. And if the said Fines and Forfeitures, shall not be sufficient therefor, then, it may be advisable to consider of the twenty seventh Article, of his Excellency's Instructions, communicated to you.

We likewise concur with you, that the Number of the said Receivers be reduced to One, and acquaint you, that we know of no

other Receivers of his Majesty's said Revenue, but M.^r John Rousby, and M.^r John Dansey, who act by the Authority of the Government here, being appointed to those Offices, on the Death of George Plater, and George Muschampe Esq.^{rs} formerly appointed to those Offices by the Crown; but since that his Majesty's Surveyor General has a particular Authority over the Officers of the Revenue here, and is now Daily expected, his Excellency will take Care on his Arrival, to settle this Matter with him. In the mean Time, he has given Orders to the several Clerks of the County Courts, to return him by the first of September next, an Account of all fines and forfeitures. M.^r Dansey's Accounts of the Three pence per Hogshead for Arms, and of the fines and forfeitures are herewith sent you.

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Signed per Order, W. Bladen, Cl. Council

Which was read the first Time, and Ordered to lye on the Table.

M.^r Wright from the Committee of Accounts, brings in and delivers to M.^r Speaker, the Journal of Accounts, with the List of Debts, that accrued on Account of the late War, annexed thereto; which were read and assented to, and sent to the Upper House, by the Gentlemen of the Committee of Accounts.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Paper Bill, entitled, An Act to empower the Justices of Somerset County, to levy on the Taxable Inhabitants of Somerset Parish, in the said County, the Quantity of 144,000^{lb} of Tobacco, for the Uses therein mentioned, and the Paper Bill, for the Adjournment and Continuance of Frederick County Court: Severally indorsed, "By the Upper House of Assembly:" The ingrossed Bill whereof this is the Original, is read and assented to.

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, a Petition of sundry Inhabitants of Frederick County: Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House of Assembly." Which Petition was here read and ordered to lye on the Table.

A Petition of Arthur Whitby, of Dorchester County, was preferred to this House: Read the first Time and ordered to lye on the Table

M.^r Smallwood brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act to enable the Justices of Charles County Court, to assess and levy on the Taxable Inhabitants of Trinity Parish, a Quantity of Tobacco, for building a Chapel of Ease in Benedict Hundred, in said Parish and for other Purposes therein mentioned: Which was read the first Time and ordered to lye on the Table.

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On reading the second Time the Bill, entitled, An Act to repeal Part of An Act, entitled, An Act for the Encouragement of such Persons as shall undertake to build Water Mills: The Question was put, That the said Bills to pass? Resolved in the Affirmative

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For the Affirmative

Mess. ^{rs}	Plater,	W. Adams,	Jacob,
	Wolstenholme,	Winder,	Tyler,
	Lloyd,	H. Hollyday,	Allen,
	H. Hall,	Gibson,	Selby,
	Grahame,	Cockey Deye,	F. Gantt,
	Parran,	Earle,	Chapline.
	Dent,	Murdock,	[22]
	Ware,	Beall,	

For the Negative

Mess. ^{rs}	Worthington,	Smallwood,	J. Hall,
	Hammond,	Edmondson,	E. Tilghman,
	Johnson,	Lecompte,	Wright,
	E. Gantt,	Lee,	Smith.
	Hanson,	Chase,	[14]

Which Bill was indorsed, Read the second Time and will pass: And was sent to the Upper House, by M.^r Allen, and G. Plater, Esq

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, the Petitions of Gideon Jones, and Charles Collings, Prisoners in Worcester County Goal: Indorsed, “By the Upper House of Assembly: Referred to the Consideration of the Lower House.” Which Petitions were severally read here, the first Time, and Ordered to lye on the Table.

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met

An ingrossed Bill, entitled, An Act for the Adjournment and Continuance of Frederick County Court And an ingrossed Bill, entitled, An Act to empower the Justices of Somerset County &c.^a were severally read and assented to, and sent to the Upper House, with the Paper Bills by M.^r Allen, & M.^r F Gantt.

On Motion of S. Chase, Esq Leave is given to bring in a Supplementary Bill to the Act for the Directions of Sheriffs in their Offices, and restraining their ill Practices within this Province

Ordered, That S. Chase, J. Hall, T. Johnson, Esq.^{rs} M.^r Hanson and M.^r Allen, do prepare and bring in a Bill accordingly

On Motion, Ordered, That no new Business be received in this House after next Tuesday.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Journal of Accounts, and the following Message Viz.^t

Gentlemen,

We have returned the Journal of Accounts with a Negative,
[This message beginning thus is printed in full in the Upper House Journal, p. 102.]

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The Governor communicates to M.^r Speaker the following Mes- p. 451
 sage Viz.^t

Gentlemen of the Lower House of Assembly,

As I am under an absolute Necessity of going over the Bay, next Friday or Saturday, and shall not probably be able to return hither before the End of the Month. I give you Notice thereof, lest there should otherwise, by Reason of my Absence, be a Delay to the Public Business

Nov. 15, 1766

Hor.^o Sharpe

Ordered, That the Petition of Mayberry Helmes, Jun.^r be heard next Wednesday, and that Daniel Barnett, and John Shly, be served with Notice thereof.

The Petition of James M.^cMurdie, of Queen Anne's County, was read the second Time, and the Question was put, That the said Petition be granted? Resolved in the Negative

For the Negative

Mess. ^{rs}	Wolstenholme,	Winder,	Tilghman,	[16]
	H. Hall,	Cockey Deye,	Wright,	
	Hammond,	Lee,	F. Gantt,	
	Johnson,	Beall,	Smith.	
	Hanson,	Tyler,		
	Smallwood,	J. Hall,		

For the Affirmative

Mess. ^{rs}	Plater,	Ware,	Earle	[15]
	Lloyd,	Edmondson,	Chase,	
	Worthington,	H. Hollyday,	Allen,	
	Parran,	Gibson,	Selby,	
	Dent,	Lecompte,	Chapline.	

On Motion, Ordered, That an Address be prepared to the Governor, in Answer to his Message of this Day.

J. Hall, Esq.^r brings in, and delivers to M.^r Speaker, an Address to the Governor: Which was Read, Approved, and Ordered to be Ingrossed.

The following ingrossed Address, Viz.^t

To his Excellency Horatio Sharpe, Esq.^r Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates

L. H. J. May it please your Excellency,
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Nov. 15 In Answer to your Message of this Day, we expect that the Public Business will be concluded by the latter End of next week, and assure your Excellency, that we will exert our Endeavours for that Purpose.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker

p. 452 Ordered, That M.^r Edmondson, and M.^r Smallwood, do acquaint the Governor, this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return, and acquaint M.^r Speaker, that the Governor signified he would be ready to receive the Address immediately in the Council Chamber.

Ordered, That M.^r Hanson, and T. Johnson, Esq do present the Address

The House adjourns till Monday Morning at 9 of the Clock

Nov. 17

Monday, November 17.

The House met.

All appeared as on Saturday, except J. Hammond, Esq M.^r Jacob, and M.^r Tyler.

T. Ringgold, Esq appeared in the House.

The Bill, entitled, An Act for raising 4.^d Sterling for every Hogshead of Tobacco exported out of this Province for the Support of an Agent at London, for the Service of this Province. Was read the second Time and will pass; and was sent to the Upper House, by M.^r Worthington, and M.^r Dent

The House adjourns until 2 of the Clock.

Post Meridiem.

The House met

The Governor communicated to M.^r Speaker the following Message Viz^t

Gentlemen of the Lower House of Assembly,

During the Course of the late War, I was under a Necessity, at different Times, of paying for many Letters and Packets relative to the Public Service, that were brought to me by the Post, or special Messengers, and also of hiring Expresses here to carry Letters that I was obliged to send to our Frontiers, or other Parts of the Continent. I cannot lay before you a particular Account of such my Disbursements, but am satisfied they must have amounted to at least seventy Pounds Currency; and, as they were made on Account of the Public Service, I hope you will think it reasonable that I should be reimbursed.

Nov. 17, 1766

Hor.^o Sharpe

Which was read the first Time, and ordered to lye on the Table

L. H. J.
Liber No. 5a
Nov. 17

The Order of the Day being read, the House took into Consideration the Want of a Specie, or Medium of Commerce in this Province, and the most effectual Means of procuring a Passage of the Journal: And, on Motion, the House resolved itself into a Committee of the whole House, to consider the Want of a Specie, or Medium of Commerce in this Province, and the most effectual Means of procuring a Passage of the Journal,

M.^r Speaker left the Chair. Mr. Speaker resumed the Chair.

W. Murdock, Esq^r Chairman from the Committee of the whole House, delivers to M.^r Speaker the following Report Viz.^t

That the Committee of the whole House had proceeded to take into Consideration the Matter referred to them by the Honourable House, but not having had Time to compleat the same, prays Leave of the House, that the said Committee may sit again to proceed further in the said Affair.

J. Ridout, Esq^r from the Upper House, delivers to M.^r Speaker, the following Message, Viz.^t

By the Upper House of Assembly, Nov. 17, 1766.

Gentlemen

We have returned your Bill, entitled, An Act for raising four Pence Sterling for every Hogshead of Tobacco out of this Province, for the Support of an Agent at London, for the Services of this Province, with our Negative, for the Reasons of present Dissent, and the Terms upon which we would most chearfully agree to your Appointment of an Agent

We must take the Liberty to avoid Repetition, to refer you to our Message of the 16th December, 1765, attending our Dissent to a Bill with a similar Title, then under our Consideration.

Signed by Order, U. Scott, Cl. Up. Ho.

B. Calvert, Esq^r from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for regulating Inn-holders and Ordinary Keepers within this Province. Indorsed, "By the Upper House of Assembly, Nov.^r 17, 1766: Read the second Time and will not pass. p. 453

Signed by Order, U Scott, Cl. Up. Ho."

M.^r Speaker left the Chair. M.^r Speaker resumed the Chair.

W. Murdock, Esq^r Chairman from the Committee of the whole House, delivers to M.^r Speaker the following Report, Viz.^t that the Committee of the whole House had proceeded to take into further Consideration, the Matter referred to them by the Honourable House, but not having had Time to compleat the same, prays Leave of the House, that the said Committee may sit again, to proceed further on the said Affair.

L. H. J.
Liber No. 52
Nov. 17

D. Dulany, and J. Ridout, Esq.^{rs} from the Upper House, acquaint M.^r Speaker, that the Governor requires the Attendance of the Lower House in the Council Chamber.

M.^r Speaker left the Chair; and, attended with the Members of the Lower House, went to the Upper House, and presented to his Excellency the several ingrossed Bills, Viz. [from N.^o 2 to N.^o 10, both inclusive.]

All which the Governor passed into Laws in the usual Manner.

M.^r Speaker (with the rest of the Members) returned to the Lower House and resumed the Chair

W. Murdock, Esq. from the Committee of the whole House, reports to M.^r Speaker, that that Committee, upon considering the Order of the Day, and debating the same, were of Opinion, That a Conference with the Upper House, will be the most effectual Means of procuring a Passage of the Journal, and thereby laying a foundation for circulating a Medium of Commerce in this Province, and directed him to report the same to the House. On Consideration of the Report aforesaid, the House concurs therewith.

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 18

Tuesday, November 18.

The House met.

M.^r J Hall of Baltimore County appeared in the House.

Capt. Winder, and Col. Tilghman, have Leave of Absence.

The Governor communicates to M.^r Speaker the following Message, Viz.^t

Gentlemen of the Lower House of Assembly

I herewith send you a Letter, that I some Time ago, received from one of his Majesty's Principal Secretary's of State, together with Copies of two Acts of Parliament, past the last Session, and a Copy of several Notes and Resolves of the British House of Commons, respecting the Colonies; which Resolves, I likewise send for your Perusal and Consideration. Being satisfied, that his Majesty has not, throughout his American Dominions, any Subjects impressed with a deeper Sense of Loyalty and Gratitude, or that entertain a more affectionate Regard for the Mother Country, and Respect for the Parliament, than the Inhabitants of this Province, I embraced an Opportunity, soon after my Receipt of the Letter, to communicate such my Sentiments to his Majesty's Ministers; and, as I think you will not choose to fall short in any Respect of the Royal Expectations, I persuade myself, that those who have Pretensions to any Compensation from you, under his Majesty's Recommendation, will not apply to you in vain.

Nov.^r 18, 1766

Hor.^o Sharpe

Which, with the several Papers therein mentioned, were read the first Time, and ordered to lye on the Table.

L. H. J.
Liber No. 52
Nov. 18

Ordered, That M.^r Lee, and Capt. Cockey Deye, do go with M.^r J. Hall, of Baltimore, to the Upper House of Assembly, to see him take the Oath of Abjuration, prescribed by the Act of Parliament passed last Session. They return, and acquaint M.^r Speaker, that Gentleman did take the Oath aforesaid, and subscribed the same.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Petitions of Joseph Lowman, and Samuel Cresswell, Prisoners in Baltimore County Goal. Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House of Assembly." Which Petitions were here read the first Time, and ordered to lye on the Table:

On Motion, the Question was put, that the following Question, Viz.^t That this House do agree to send a Message to the Upper House, to propose a Conference with them on the Subject Matter of the Passage of the Journal, be now put? p. 454

The House being equally divided in their Determination on the aforegoing Question, the same was carried in the Negative by the Honourable Speaker; and was Resolved in the Negative accordingly.

For the Negative

Mess. ^{rs}	Ringgold,	Dent,	Beall,	[16]
	Lloyd,	Smallwood,	Tilghman,	
	Worthington,	Cockey Deye,	Wright,	
	Johnson,	J. Hall, Balt.	F. Gantt.	
	E. Gantt,	Earle,		
	Grahame,	Murdock,		

For the Affirmative

Mess. ^{rs}	Plater,	H. Hollyday,	Allen,	[16]
	Wolstenholme,	Gibson,	Selby,	
	H. Hall,	Lecompte,	Chapline,	
	Hanson,	Lee,	Smith.	
	Ware,	Chase,		
	Edmondson,	J. Hall, Annap		

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

M.^r Benton Harris appeared in the House.

Ordered, That M.^r Allen, and Capt. Selby do go with that Gentleman to the Upper House, to see him take the Oath of Abjuration

L. H. J. prescribed by the Act of Parliament passed last Session. They
 Liber No. 52 return, and acquaint M.^r Speaker, that Gentleman had taken the
 Nov. 18 Oath aforesaid, and subscribed the same.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Petition of sundry Merchants in Baltimore Town: Indorsed, “By the Upper House of Assembly: Referred to the Consideration of the Lower House.” Was read here and Ordered to lye on the Table

The Order of the Day being read, the House referred the Consideration of the Petition of the Inhabitants of the Town of Baltimore, in Baltimore County, until the Morrow; and Ordered, That the same be then heard at the Bar of this House.

On Motion of T. Johnson, Esq That a Message be prepared, and sent to the Upper House.

Ordered, That T. Johnson, W. Murdock, J. Hall, H. Hall, T. Ringgold, and S. Chase, Esq.^{rs} and M.^r Allen, do prepare and bring in such Message.

On Motion, That, by an Order of this House, made this Session, no new Business should be received after this Day,

Ordered, That the same be enlarged until to Morrow Afternoon, And that Leave be given to bring in any new Business before the Adjournment of the House To-Morrow Evening.

On Motion of T. Ringgold, Esq Leave is given to bring in a Supplementary Bill, to the Act, entitled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers.

Ordered, That T. Ringgold, T. Johnson, and J. Hall, Esq.^{rs} do prepare and bring in a Bill accordingly.

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 19

Wednesday, November 19.

The House met.

All appeared as Yesterday, except Col. Tilghman.

J. Hall, Esq brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer. Which was read the first Time, and Ordered to lye on the Table.

T. Johnson, Esq brings in, and delivers to M.^r Speaker, the following Message, Viz.^t

By the Lower House of Assembly, November 19, 1766.

May it please your Honours,

p. 455 This House, sensibly affected with the distressed Circumstances of the Province, and the extreme Necessity of many of the Creditors

of the Public, occasioned, in great Measure, by the Want of a circulating Medium of Commerce, and, by the Non-Payment of the Public Debt, think it the most probable Mean to bring about a Passage of the Journal, that there should be a Conference between the two Houses, which it is hoped will not only effect that good Purpose, and thereby restore Public Credit, but lay a Foundation for the Emission of a Paper Currency. We therefore propose, if your Honours think proper to signify your Approbation of the Measure, to nominate some of our Members to confer upon this Subject, with such of yours, as you shall choose to appoint.

L. H. J.
Liber No. 52
Nov. 19

Signed per Order. MMacnemara, Cl. Lo. Ho.

Which was Read and sent to the Upper House, by T. Ringgold, and S. Chase, Esq.^{rs}

On reading the Amendments proposed by the Upper House to the Bill for regulating Innholders and Ordinary Keepers within this Province; this House doth not concur therewith.

On Motion of T. Ringgold, Esq Leave is given to bring in a Bill to remedy the Evils arising from the retailing Strong Liquors in small Quantities, without License, and for other Purposes therein mentioned.

Ordered, That Thomas Ringgold, W. Allen, D. Wolstenholme, S. Chase, and T. Johnson, Esq.^{rs} do prepare and bring in a Bill accordingly.

The Order of the Day being read, the House took into Consideration the Petition of the Inhabitants of the Town of Baltimore, in Baltimore County.

On Application of the Petitioners in the aforesaid Petition named, and of Thomas Harrison the Person complained of in the said Petition:

Ordered, That Leave be given to the aforesaid Petitioners, and Thomas Harrison, to be heard at the Bar of this House by their Council.

The House proceeded to examine Evidence in relation to the Facts contained in the above Petition, and hearing Council Ordered, That the same be taken into further Consideration, Afternoon.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the following Message, Viz^t

By the Upper House of Assembly, Nov.^r 19, 1766.

Gentlemen,

In Answer to your Message of this Day, by Mess.^{rs} Ringgold, and Chase, this House doth agree to confer with you on the Subject Matter therein proposed; and, in Order thereto, hath appointed Daniel Dulany, and John Ridout, Esq.^{rs} as Conferrees from this

L. H. J. House, who will be ready to join such Members as shall be appointed
Liber No. 52 by your House for that Purpose.
Nov. 19

Signed by Order, U. Scott, Cl. Up. Ho.

Which was read the first Time and Ordered to lye on the Table
The House adjourns until 2 of the Clock.

Post Meridiem,

The House met.

The Order of the Day being read, the House took in further Consideration the Petition of the Inhabitants of Baltimore Town, in Baltimore County; and, on hearing Council at the Bar, and the Allegations and ffacts contained therein, this House is of Opinion, that the Facts set forth are true, and that the Marsh mentioned in the Petition, is a Nuisance, and that this House will endeavour to remedy the same. And Ordered, That a further Consideration thereof be referred till To Morrow Morning.

On reading the second Time the Message brought in by Benedict Calvert, Esq Ordered, That W. Murdock, T. Johnson, J. Hall, of Annapolis, and Thomas Ringgold, Esq.^{rs} be appointed Conferrees to join those Gentlemen mentioned in the said Message.

T. Johnson, Esq brings in, and delivers to M.^r Speaker, the following Message, Viz.^t

By the Lower House of Assembly, Nov.^r 19, 1766.

May it please your Honours,

This House hath named William Murdock, Thomas Johnson, John Hall, and Thomas Ringgold, Esq.^{rs} to confer with the Members appointed by your House, in your Message of this Day, by Benedict Calvert, Esq

Signed per Order, MMacnemara, Cl. Lo. Ho.

p. 456 Which was sent to the Upper House, by M.^r Edmondson, and M.^r Allen.

On Motion of T. Johnson, Esq Leave is given to bring in a Bill for the Speedy Foreclosure of Mortgages

Ordered, That T. Johnson, T. Ringgold, and S. Chase, Esq.^{rs} do prepare and bring in a Bill accordingly.

On Motion, the Petition of the Merchants of Baltimore Town, is referred for an Hearing on the Morrow.

The Order of Yesterday is enlarged, and Time given until the Morrow, to bring in new Business.

The Conferrees appointed by this House, withdrew, to join in a Conference with the Conferrees appointed by the Upper House.

On Motion, That a Message be prepared to his Excellency, the Governor, and to the Upper House, requesting that they will join this House in an Address to his Majesty;

Ordered, That T. Ringgold, T. Johnson, William Murdock, William Allen, John Hall, and H. Hollyday, Esq.^{rs} do prepare and bring in such Message.

L. H. J.
Liber No. 52
Nov. 19

Ordered, That the Petitions of Mayberry Helmes, and William Horn, be referred for Consideration, on Friday next.

The Bill, entitled, An Act continuing an Act, entitled, An Act, for relieving the Inhabitants of this Province from some Aggrievances, and for continuing the Supplementary Act thereto: Was read the second Time, and will pass, and was sent to the Upper House, by M.^r Selby, and M.^r Allen.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act continuing an Act, entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances, in the Prosecution of Suits at Law, &^a Indorsed, "By the Upper House of Assembly, Nov.^r 19, 1766: Read the first and second Time, by an especial Order, and will pass.

Signed by Order, U. Scott, Cl. Up. Ho.

Which Bill was read here and passed for ingrossing.

The House adjourns till the Morrow Morning at 9 of the Clock

Thursday, November 20.

Nov. 20

The House met.

M.^r Jacob appeared in the House.

The following Message, Viz.^t

By the Lower House of Assembly, Nov.^r 20, 1766.

May it please your Honours,

This House hath appointed M.^r Worthington, M.^r Beall, M.^r Grahame, Col. Lloyd, M.^r Ringgold, M.^r Earle, M.^r H. Hall, and M.^r Hanson, a Committee from this House, to inspect the Office and Proceedings of the late Commissioners, or Trustees, for emitting the Bills of Credit, established by Act of Assembly, and request your Honours will appoint one or more Members of your House to join the said Committee.

Signed per Order, MMacnemara, Cl. Lo. Ho.

Was sent to the Upper House by M.^r Hanson, and M.^r Earle.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the following Message, Viz.^t

By the Upper House of Assembly Nov.^r 20.th 1766.

Gentlemen,

This House hath appointed Benedict Calvert, Esq to join the Members of your House, mentioned in your Message, of this Day, by Mess.^{rs} Hanson and Earle, in a Committee to inspect the Office

L. H. J. and Proceedings of the late Commissioners, or Trustees, for emitting
Liber No. 52 Bills of Credit established by Act of Assembly.
Nov. 20

Signed by Order, U. Scott, Cl. Up. Ho.

The Order of the Day being read, the House took into further Consideration the petition of Baltimore Town, in Baltimore County; and Leave is given to bring in a Bill to remove the Nuisance in Baltimore Town, in Baltimore County.

Ordered, That S. Chase, William Allen, T. Johnson, J. Hall, Esq.^{rs} M.^r Lee, Capt. Cockey Deye, and M.^r J. Hall, of Baltimore, do prepare and bring in a Bill accordingly.

T. Ringgold, Esq. delivers to M.^r Speaker, a Bill, entitled, An Act to remedy the Evils arising from the retailing of Strong Liquors in small Quantities, without License, and for other Purposes therein mentioned

p. 457 The House adjourns till 2 of the Clock.

Post Meridiem.

The House met

On Motion, the Question was put, That the second Proposition made by the Conferrees of the Upper House, to the Conferrees of the Lower House, be received? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	Plater,	Grahame,	Earle,	
	Wolstenholme,	Hanson,	Murdock,	
	Ringgold,	Dent,	Beall,	
	Lloyd,	Smallwood,	Jacob,	
	Worthington,	Ware,	Wright,	
	Johnson,	Cockey Deye,	F. Gantt,	
	E. Gantt,	J. Hall, Balt.	Smith.	[21]

For the Negative

Mess. ^{rs}	H. Hall,	Lecompte,	Allen,	
	Edmondson,	Lee,	Selby,	
	H. Hollyday,	Chase,	Harris,	
	Gibson,	J. Hall, Annap.	Chapline.	[12]

The House adjourns till the Morrow Morning at 9 of the Clock

Nov. 21

Friday, November 21.

The House met:

M.^r Key appeared in the House.

S. Chase, Esq. brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act to remedy the Evils arising from the retailing

L. H. J.
Liber No. 52
Nov. 21

Strong Liquors in small Quantities, without License, and for other Purposes therein mentioned: Which was read the first and second Time, passed and sent to the Upper House, by M.^r Allen, and M.^r Gibson.

The Bill, entitled, An Act to repeal an Act for the Benefit of the Poor, and Encouragement of Industry; was read the second Time, and will not pass.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Petition of William Denune, of Prince George's County: Indorsed, "By the Upper House of Assembly. Referred to the Consideration of the Lower House."

Which Petition was read here the first Time, and Ordered to lye on the Table.

On Motion of M.^r Allen, Leave is given to bring in a Bill to repeal an Act, entitled, An Act for the Benefit of the Poor, and Encouragement of Industry, so far as the same extends to the Counties of Talbot, Dorchester, Somerset, Calvert, and Worcester Counties.

M.^r Allen brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act to repeal an Act, entitled, An Act for the Benefit of the Poor, and Encouragement of Industry, so far as the same extends to Talbot, Dorchester, Somerset, Calvert, and Worcester Counties.

Which was read the first and second Time, by especial Order, and will pass.

The Bill, entitled, An Act to repeal an Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and other Purposes therein mentioned:

Was read the second Time, and the Question was put, That the said Bill do pass? Resolved in the Negative.

For the Negative

Mess. ^{rs}	Plater,	E. Gantt,	J. Hall, Balt.
	Wolstenholme,	Grahame,	Earle,
	Key,	Parran,	Beall,
	Ringgold,	Hanson,	Jacob,
	Lloyd,	Dent,	Wright,
	Worthington,	Smallwood,	F. Gantt,
	H. Hall,	Ware,	Chapline.
	Johnson,	Lee,	[23]

For the Affirmative

Mess. ^{rs}	W : Adams,	Cockey Deye,	Selby,
	Edmondson,	Murdock,	Harris,
	Hollyday,	Chase,	Smith.
	Gibson,	J. Hall, Annap.	[13]
	Lecompte,	Allen,	

L. H. J. On Motion of M.^r Hall, of Baltimore, Leave is given to bring in
 Liber No. 52 a Supplementary Bill to the Act, entitled, An Act to prevent the
 Nov. 21 Mischiefs arising from the Multiplicity of useless Dogs &^a
 p. 458

Ordered, That M.^r Hall of Baltimore, T. Ringgold, T. Johnson, Esq.^{rs} M.^r Hanson, and M.^r Allen, do prepare and bring in a Bill accordingly.

The Bill, entitled, An Act for licensing Hawkers & Pedlars; was read the second Time, and passed.

The Bill, entitled, An Act continuing an Act, entitled, An Act for imposing an additional Duty of 2.^d per Poll, was read the second Time and will pass.

The Bill, entitled, An Act continuing an Act, entitled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province, &^a was read the second Time, and will not pass.

The Bill, entitled, An Act for issuing Writs of Replevin out of the County Courts of this Province, Was read the second Time and will pass.

The Bill, entitled, An Act to enable the Justices of Charles County Court, to assess and levy on the Taxable Inhabitants of Trinity Parish, a Quantity of Tobacco, for building a Chapel of Ease in Benedict Hundred, in said Parish, and for other Purposes therein mentioned; was read the second Time, and will pass.

W. Murdock, Esq. from the Conference, resorts to the House, and reports to M.^r Speaker, That the Conferees of the Lower House acquainted the Conferees of the Upper House, that this House have agreed to accept the second Proposition made by them, as instructed by the Upper House.

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met

The Bill, entitled, An Act to repeal an Act for the Benefit of the Poor, &^a

The Bill, entitled, An Act, for licensing Hawkers and Pedlars.

The Bill, entitled, An Act continuing an Act, entitled, An Act for imposing an additional Duty of two Pounds per Poll on all Negroes, imported, &^a

The Bill, entitled, An Act for issuing Writs of Replevin, &^a

And the Bill, entitled, An Act, to enable the Justices of Charles County, to levy a Quantity of Tobacco on the Taxable Inhabitants of Trinity Parish, &^a

Were sent to the Upper House by M.^r Selby, and M.^r Gibson.

On Motion of J. Hall, Esq Leave is given to bring in a Bill for Relief of Creditors against Defendants who are Non-Residents. L. H. J. Liber No. 52 Nov. 21

Ordered, That J. Hall, Esq M.^r Hall, of Baltimore, S. Chase, and T. Johnson, Esq.^{rs} do prepare and bring in a Bill accordingly

On motion of J. Hall, Esq Leave is given to bring in a Bill for Relief of Insolvent Debtors

Ordered, that J. Hall, Esq Mr. Hall of Balt. S. Chase, & T. Johnson, Esq.^{rs} do prepare and bring in a Bill accordingly

On Motion of S. Chase, Esq Leave is given to bring in a Bill for the Security of Purchasers and others, being Protestants, claiming by or from Aliens.

Ordered, That J. Hall, Esq M.^r Hall of Balt. S. Chase, & T. Johnson, Esq.^{rs} do prepare & bring in a Bill accordingly

On Motion of S. Chase, Esq Leave is given to bring in a Bill for the better Support of the Poor, and erecting Workhouses, in the several Counties of this Province.

Ordered, That D. Wolstenholme, T. Ringgold, T. Johnson, Esq.^{rs} M.^r Grahame, M.^r Hanson, M.^r Edmondson, M.^r Lecompte, M.^r Lee, M.^r Earle, M.^r Beale, J. Hall, Esq.^r M.^r Wright, M.^r Allen, and M.^r Fielder Gantt, do prepare and bring in a Bill accordingly.

The Bill, entitled, An Act to ease the Inhabitants of this Province, and to empower the Justices to bind out Apprentices; was read and committed for Amendments.

The Bill, entitled, An Additional Supplementary Act to the Act, entitled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers; was read the second Time and will pass, and was sent to Upper House, by M.^r Worthington, and Capt Chapline.

W. Murdock, Esq delivers to M.^r Speaker, the following Report p. 459 Viz.^t

At a Conference of the Members of both Houses of Assembly, on Wednesday the 19.th November, 1766, in the Paper Currency Office,

Present,

The Honourable	{ Daniel Dulany, and John Ridout, Esq. ^{rs}	} of the Upper House
	{ William Murdock, Thomas Johnson, John Hall, and Thomas Ringgold, Esq. ^{rs}	} of the Lower House

Who then chose the Honourable Daniel Dulany, Esq.^r Chairman; and John Duckett, Jun.^r Clerk.

L. H. J.
Liber No. 52
Nov. 21

The Conferrees of the Lower House, communicate to those of the Upper House, the following Instructions, Viz.^t That the Conferrees of the Lower House be instructed to inform those of the Upper House, That this House cannot agree to allow the Claim of the Governor, nor that of the Printer, for the Publication of the late Acts of Parliament, because the Publication of Acts of Parliament in this Province, by Proclamation, is without Precedent; and the Allowance contended for, would probably induce, for the future, the like Publication of all Acts of Parliament to be made hereafter, and, as constantly, Charges similar to the present. That this House are apprehensive their making such Allowance, might hereafter furnish an Argument, that this House acquiesce, contrary to their former Resolutions, and present Opinion, in the British Parliament's having a Constitutional Right to impose internal Taxes on her Colonies.

That this House are clearly of Opinion, that the Clerk of the Council, his reasonable Reward, as well as every Expende necessarily attending the Execution of the Powers of Government, ought to be defrayed out of fines, forfeitures, Amerciaments, and Monies, received by the Government, to defray the expenses thereof; but, that yet as there seems no Probability of a speedy Concurrence of both Houses in this Sentiment, and the distressed Circumstances of the Province, and many of the Claimants against the Public, call for an immediate Circulation of a Medium of Commerce, and Discharge of the Public Debt; this House do propose to their Honours, as the most eligible Expedient, that Paper Bills of Credit be emitted on the Foundation of the Public Money now in the Funds, not only to the Amount of the Journal, and List of Debts, but also to that of the late and present Clerk of the Council, their Claim, and the further Sum of £1500, that those who have already Allowances on the Journal, and List of Debts, receive their Allowances in Bills of Credit. That a Sum to the Amount of the Claims of the late and present Clerk, of the Council, be put into the Hands of the Treasurers, and be by them placed out at Interest, and the Principal and Interest be paid to the late and present Clerk of the Council, or their Representatives, in Case the King in Council shall so order; otherwise, such Principal and Interest, to be and remain the Property of the Public, and that the said Sum of £1500 in Bills of Credit be paid to the Order of the Lower House of Assembly, and invested in Bills of Exchange, to enable the Lower House of Assembly, for the Time being, to employ, and retain an Agent, at London three Years, A Copy of which they delivered to the Conferrees of the Upper House. The Conferrees of the Upper House deliver to those of the Lower House, the following Instructions, Viz

By the Upper House of Assembly, November 19, 1766.

Ordered, That Daniel Dulany, and John Ridout, Esq.^{rs} Conferrees from this House, do receive from the Conferrees of the

Lower House, such Propositions as they shall make, and return with the same, in Order to take the Sense of this House thereupon.

L. H. J.
Liber No. 52
Nov. 21

Signed by Order, U. Scott, Cl. Up. Ho.

And then returned to the Upper House, with the Copy of the Instruction delivered to them by the Conferrees of the Lower House.

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The Conferrees adjourn until to Morrow Morning 9 O'Clock

Thursday, November 20.

Nov. 20

The Conferrees met according to Adjournment.

The Conferrees of the Upper House deliver to those of the Lower House, an Instruction, from their House, which follows in these Words, Viz.

By the Upper House of Assembly, Nov.^r 20. 1766.

Instructions to Daniel Dulany, and John Ridout, Esq.^{rs} Conferrees appointed by this House You are to inform the Conferrees of the Lower House, [*These instructions beginning thus are printed in full in the Upper House Journal, pp. 108-109.*]

The Conferrees adjourn till To Morrow Morning 9 O'Clock.

p. 461

Friday, Nov. 21.

Nov. 21

The Conferrees met according to Adjournment.

The Conferrees of the Lower House, deliver to those of the Upper House, the following, Viz.^t

By the Lower House of Assembly, November 21, 1766

Ordered, That the Conferrees of this House, inform those of the Upper House, that this House agree to the second Proposition made by the Conferrees of the Upper House.

Signed per Order, MMacnemara, Cl Lo. Ho.

So ends this Conference.

Signed per Order, John Duckett, Jun.^r Clk

Which was read the first Time and Ordered to lye on the Table.

John Ridout, Esq.^r from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act to repeal an Act, entitled, An Act for the Benefit of the Poor, and Encouragement of Industry, &^a and the Bill, entitled, An Act for issuing Writs of Replevin, &^a Severally Indorsed, "By the Upper House of Assembly, Nov. 21. 1766 Read the first and second Time, by especial Order, and will not pass.

Signed by Order, U. Scott, Cl. Up. Ho."

And the Bill empowering the Justices of Charles County to levy a Quantity of Tobacco, on the Taxable Inhabitants of Trinity

L. H. J. Parish, &^a Indorsed, "By the Upper House of Assembly, November, 21. 1766." Read "the first and second Time, by especial Order, and will pass.
Liber No. 52
Nov. 21

Signed by Order, U. Scott, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing.

The Bill, entitled, An Act for obliging all infected Ships, and other Vessels coming into this Province to perform Quarentine. Was read and committed for Amendments.

A Bill, entitled, An Act for the Security of Purchasers, and others, being Protestants, claiming by or from Aliens: Was read the first Time, and ordered to lye on the Table.

A Bill, entitled, An Act for the more speedy Foreclosure of Mortgages: Was read the first Time, and Ordered to lye on the Table.

The Order of the Day being read, the Petition of Mayberry Helmes, was referred for a second Reading on the Morrow.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 22

Saturday, November 22.

The House met.

All appeared as Yesterday, except G. Plater, Esq and M.^r William Adams.

Col. Lloyd, M.^r Edmondson, and M.^r Gibson, have Leave of Absence.

Col. Hammond from the Upper House, delivers to M.^r Speaker, a Petition of Archibald Ballytine, Prisoner in Baltimore County Goal; Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House:"

Which Petition was here read, and ordered to lye on the Table.

Col. Hyland appeared in the House.

Ordered, That M.^r Earle do go with that Gentleman to the Upper House to see him take the Oath of Abjuration prescribed by the Act of Parliament made last Session.

p. 462 M.^r Earle returns, and acquaints M.^r Speaker, that Gentleman had taken the Oath aforesaid and submitted the same.

On reading the Petition of Anne Gaither, and the Petition of Wright Mills, praying Relief for the Damages done them by a Multitude of Persons, assembled in the Night, in the Month of September 1765

Ordered, That M.^r H. Hall, M.^r Harris, M.^r Dent, and M.^r Bealle, be a Committee to enquire into the Allegations and Facts, set forth in the said Petitions, and all Things relative thereto, and report the same to the House.

D. Dulaney, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, an Additional Supplementary Act to the Act, entitled, An Act for quieting Possessions, enrolling Conveyances &c.^a Indorsed, "By the Upper House of Assembly, November 22, 1766: Leave out the Words "or Effects" in the 11.th Line of the 3.^d Page. After the Words, "Covert," in the 13.th Line of the same Page, add the following Words, Viz.^t "not being a Minor." In the 16.th Line of the 4.th Page, after the Word, "been" add the following Words, Viz.^t "acknowledged and." In the 20.th Line of the same Page, add, after the Word, "Conveyance," the following Words, Viz.^t "acknowledged and," or leave out entirely the Recital and Enacting Clause to which the above Amendments in the fourth Page apply.

L. H. J.
Liber No. 52
Nov. 22

And the Bill, entitled, An Act continuing an Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province: Indorsed, "By the Upper House of Assembly, Nov. 22, 1766: Read the second Time and will pass.

Signed by Order, U. Scott, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing

An ingrossed Bill, entitled, An Act continuing an Act, entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, &^a.

And an ingrossed Bill, entitled, An Act to enable the Justices of Charles County to assess and levy on the Taxable Inhabitants, of Trinity Parish, a Quaintity of Tobacco, &^a Were severally read and assented to, and sent to the Upper House, with the Paper Bills, by M.^r Dent, and M.^r Hall, of Balt.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, a Petition of Moses Frampton, in Caecil County Goal; Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House:"

Which Petition was here read, and ordered to lye on the Table.

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for licensing Hawkers and Pedlars: Indorsed, "By the Upper House of Assembly, November 22, 1766: Read the second Time, and will pass, with the following Amendments, Viz.^t After the Word, "Act," in the first Line of the last Page, insert the Word, "to."

Signed by Order, U. Scott, Cl Up. Ho."

The Petition of Mayberry Helmes was referred till Thursday next

On Motion, that a Committee be appointed to bring in a Bill for the Public Claims, and for emitting Bills of Credit, and for other Purposes therein mentioned.

Ordered, That T. Ringgold, T. Johnson, D. Wolstenholme, J. Hall, Esq.^{rs} M.^r Grahame, M.^r Hanson, W. Murdock, S. Chase,

L. H. J. and H. Hollyday, Esq.^{rs} be a Committee for that Purpose, and
 Liber No. 52 that they do prepare and bring in a Bill accordingly.
 Nov. 22

J. Ridout, Esq from the Upper House, delivers, to M.^r Speaker, the Paper Bills, entitled, An Act continuing an Act, entitled, An Act relieving the Inhabitants of this Province, from some Ag-grievances in the Prosecution of Suits at Law, &^a And the Paper
 p. 463 Bill, entitled, An Act to enable the Justices of Charles County Court to assess and levy on the Taxable Inhabitants of Trinity Parish, a Quantity of Tobacco, &^{ta} Severally indorsed, “By the Upper House of Assembly; the ingrossed Bill whereof this is the Original is read and assented to.

Signed by Order, U. Scott, Cl. Up. Ho.”

The Petition of John Beale Bordley, praying Leave to bring in a Bill to ascertain his Name, as such, was granted, and Leave given to the Petitioner to bring in a Bill.

The Bill, entitled, An Additional Supplementary Act to the Act, entitled, An Act for quieting Possessions, &^{ta} was read, and, with the Amendments proposed, passed for Ingrossing.

An ingrossed Bill, entitled, An Act continuing an Act, entitled, An Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province:

Was read and assented to.

M.^r Beall has Leave of Absence till Wednesday next

The House adjourns till Monday Morning at 9 of the Clock

Nov. 24 Monday, November 24.

The House met.

All appeared as on Saturday, except Col. Lloyd, M.^r Edmondson, M.^r Gibson, M.^r Beall, and M.^r Parran.

M.^r Sothoron appeared in the House.

Ordered, That M.^r Key do go with that Gentleman to the Upper House, to see him take the Oath of Abjuration, prescribed by the Act of Parliament made last Session. He returns, and acquaints M.^r Speaker, that M.^r Sothoron had taken the Oath aforesaid, and subscribed the same.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Petition of Richard Paris: Indorsed “By the Upper House of Assembly: Referred to the Consideration of the Lower House:” Which Petition was here read the first Time, and Ordered to lye on the Table.

J. Hall, Esq brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act to aid defective Common Recoveries, and a Bill, entitled,

An Act for the Relief of insolvent Debtors: Which Bills were severally read the first Time, and Ordered to lye on the Table.

L. H. J.
Liber No. 52
Nov. 24

The House adjourns till the Morrow Morning at 9 of the Clock

Tuesday, November 25.

Nov. 25

The House met.

All appeared as Yesterday, except S. Chase, Esq Col. Hammond, from the Upper House, delivers to M.^r Speaker, a Petition of Adam Wychal, in Frederick County Goal; Indorsed "By the Upper House of Assembly: Read and referred to the Consideration of the Lower House:" Which Petition was read the first and second Time, and granted.

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker a Petition of Joshua Rogers, and Robert Pitt: Severally indorsed: "By the Upper House of Assembly: Read and referred to the Consideration of the Lower House:" Which Petition was read here, and ordered to lye on the Table

The House adjourns till 2 of the Clock

Post Meridiem.

The House met.

The Petitions of many languishing Prisoners in several Goals in this Province, were read the second Time and granted.

On Motion, Leave is given to bring in a Bill for the Relief of Prisoners for Debt, in several County Goals in this Province

Ordered, That T. Ringgold, T. Johnson, Esq.^{rs} and M.^r Allen, do prepare and bring in a Bill accordingly

The Bill, entitled, An Act to ease the Inhabitants of this Province and to impower the Justices of several Counties to bind out the Persons therein mentioned Apprentices; was read the second Time and will pass.

The Bill, entitled, An Act for the Security of Purchasers and others, being Protestants, claiming by or from Aliens; was read the second Time, and passed; Both Bills were sent to the Upper House, by M.^r Earle and M^r Harris.

The Bill, entitled, An Act to aid defective Common Recoveries p. 464 Was read the second Time, and will pass, and was sent to the Upper House by M.^r Selby, and M.^r Jacob.

The House adjourns till the Morrow Morning at 9 of the Clock

L. H. J.
Liber No. 52
Nov. 26

Wednesday, November 26.

The House met.

All appeared as Yesterday, except H. Hollyday, Esq

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

M.^r Tyler appeared in the House.

M.^r Allen has Leave of Absence.

M^r Worthington brings in, and delivers to M^r Speaker the following Report, Viz
Maryland, ss.

At a Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, [*This report is printed in full in the Upper House Journal, pp. 115-118.*]

p. 466 Which was read the first Time, and Ordered to lye on the Table.

The following Resolves, Viz.^t

This House taking into their most serious Consideration, the noble and spirited Conduct of the Right Honourable William Pitt, now Earl of Chatham, and the Right Honourable Charles Pratt, Lord Cambden, late Lord Chief Justice of the Common Pleas, and now Lord High Chancellor of England, in defending and supporting the Rights and Liberties of their fellow Subjects in general, and animated by the most lively Sense of their important Services to the united Interests of Great Britain, and her Colonies, in a late critical and alarming Juncture, think themselves indispensibly obliged to transmit to Posterity the grateful Sentiments they entertain of the inflexible Integrity, and conspicuous Abilities of those shining Ornaments of their Country, who, uninfluenced by narrow Views, from local Attachments, have, in the genuine Spirit of true Patriots, and faithful Guardians of the Common Weal, extended their Regards to the comprehensive Object of the whole British Empire. As a Monument therefore, of the Virtues of those illustrious Personages, and a lasting Testimony of the Gratitude of the Freemen of Maryland, this House hath unanimously Resolved, That a sufficient Sum of Public Money be appropriated to purchase an elegant Marble Statue of the said Earl of Chatham, to be set up in such Place within the City of Annapolis, as the Lower House of Assembly shall direct: That the said Lord Cambden be requested, to permit his Picture to be taken from the Life, by some eminent Hand, at the Expence of this Province, to be placed in the Provincial Court. And, that Two thousand two hundred and fifty Dollars of the Bills of Credit, to be emitted, be laid out in Bills of Exchange by the Commissioners, and by them remitted to the Trustees, residing in

London, and so much thereof as may be necessary, be by them applied towards the Purchase of the said Statue of the Earl of Chatham, and Picture of Lord Cambden from the Life, by some eminent Hand, to be put into a neat Gilt Frame, and in defraying the necessary Charges and Expences of Insuring, and sending the said Statue and Picture into this City, consigned to the Speaker of the Lower House of Assembly, for the Time being, and the Overplus of the said Bills of Exchange, if any, to be placed to the Credit of this Province, and invested in Capital Stock of the Bank of England.

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This House taking into Consideration, the generous and Patriotic Conduct of those distinguishing Worthies, in the House of Peers, and House of Commons, who avowedly denied a Parliamentary Right to impose internal Taxes on the Colonies.

Unanimously Resolved, That the most grateful Thanks, and sincere Acknowledgments of this House, be presented by M.^r Garth, to the Right Honourable the Earl of Chesterfield, the Right Honourable Lord Shelbourne, M.^r Secretary Conway, General Howard, Col. Barre, Sir George Saville, Alderman Beckford, and any others of the Lords and Commons, M.^r Garth may think have acted the like glorious Part of defending, through Principle, the just Rights of the Colonists, and that they be assured, their Honour shall never be tarnished, or their Dignity lessened; but their Memories will be endeared by their Benevolence and Regard to British America. Were ordered to be entered.

p. 467

On Motion, Leave given to bring in a Bill agreeable to the foregoing Resolves &^a And, that M.^r Ringgold, M.^r T. Johnson, M.^r Wolstenholme, M.^r Hall, of Annapolis, M.^r Grahame, M.^r Hanson, M.^r Murdock, and M.^r Chase, do prepare and bring in the same.

M.^r Harris brings in, and delivers to M.^r Speaker, the following Report, Viz.^t

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire into the Allegations and Facts contained in the Petitions of Anne Gaither, and Wright Mills, Inhabitants of the City of Annapolis.

Your Committee, pursuant to the Order and Appointment of your Honourable House, have enquired into the several Facts and Allegations therein contained, and do find, by the Information of Cornelius Howard, Francis Fairbrother, and Isaac Harris, that in the Evening of the Day of September 1765, the Dwelling House, in the Occupation of Anne Gaither, was pulled down, and torn to Pieces by a Number of People. We also find, that Benjamin Tasker, Esq made and executed a Lease, of Part of a Lot of Ground, whereon said House stood, to Samuel Gaither, the late Husband of the said Anne, dated the 15.th Day of October 1759, and that the said Samuel Gaither, by his last Will and Testament, dated the 23.^d Day of September

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1762, devised the said House, and Lot of Ground, to Mary Gaither, and Cassandra Gaither, Sisters of the said Samuel; and that Anne Gaither, the Petitioner, purchased of Edward Norwood, who intermarried with the said Mary, one fourth Part of said Lot of Ground, for the Sum of £12..10.. as per Deed, bearing Date the 16.th Day of November, 1763, legally acknowledged and recorded, appears. It also appears to your Committee, that the Lot of Ground aforesaid, was appraised in the Estate of the said Samuel Gaither, to the Sum of £50.

Your Committee also find, by examining Wright Mills, and Frederick Mills, upon Oath, that Wright Mills, the Petitioner, hath sustained Damage, by Loss of sundry Tools, Materials found, and Work done, towards fitting up the Front Room on the Lower Floor of the House aforesaid, for a Store Room for Zachariah Hood, amounting to a larger Sum than the Account delivered to your Committee, by the said Wright Mills, which said Account is hereto annexed, and amounts to the Sum of £13..7..3.

All which is humbly submitted to the Consideration of the Honourable House.

Signed per Order John Duckett, Jun.^r Clerk

Which was read the first Time and ordered to lye on the Table.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act to ease the Inhabitants of this Province, and to impower the Justices, &^a to bind out Apprentices: Indorsed, "By the Upper House of Assembly, November 26 1766. Read the second Time, and will pass, with the Amendments annexed, Viz. In the third Line from the Bottom of the first Page, leave out the Words, "Provided always," and before the Word, "Enacted," in the same Line, insert the Word, "further." In the 4.th Line of the 2.^d Page, after the Word, "by," insert the Words, "Virtue of." In the 6.th and 7.th Lines of the same Page, leave out the Words, "where such Child shall be bound out Apprentice." In the 9.th Line of the same Page, after the Words, "Non est," insert the following Words," and if the Mother shall appear in Court, and offer sufficient Security for the Maintenance of her Child, or if any Person, on her Behalf, shall, in Court, offer such sufficient Security, then, and in such Case, the Court shall not have Power to bind out such Child Apprentice; but shall take such for his or her Maintenance."

Which Bill was read here, and with the Amendments proposed, passed for ingrossing.

p. 468 The Bill, entitled, An Act for the Relief of Insolvent Debtors: Was read the second Time, and will pass, and was sent to the Upper House, by M.^r Lecompte, and Capt Chapline.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the Security of Purchasers, and others,

being Protestants, claiming by or from Aliens: Indorsed, "By the Upper House of Assembly, Nov.^r 26, 1766: Read the second Time and will pass, with the following Amendments, Viz.^t Leave out the Words, being Protestants," in the Title, and also in the 8.th Line, and in the 14.th and 15.th Lines, leave out the Words, "a Protestant, or Protestants," and in the 21.st Line, and also the same Words in the 24.th Line, leave out the Words, "Papist or Papists or," in the 28.th Line, and also the same words in the 29.th Line.

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Liber No. 52
Nov. 26

Signed by Order, U. Scott, Cl Up Ho."

Which Amendments were here read, and unanimously rejected.

Ordered, That the Serjeant at Arms, do forthwith send an especial Messenger, to acquaint M.^r Hammond, M.^r Mackall, and M.^r Baker, that this House requires their immediate Attendance, for the Dispatch of Public Business.

A Bill, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned: Was read the first Time, and ordered to lye on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock

Thursday, November 27.

Nov. 27

The House met.

Col. Henry appeared in the House.

Ordered, That M.^r Lecompte do go with Col. Henry to the Upper House, to see him take the Oath of Abjuration, prescribed by Act of Parliament made last Session. He returns, and acquaints M.^r Speaker, that Gentleman had taken the Oath aforesaid, and subscribed the same.

The Petition of Richard Paris was read the second Time and referred to the Consideration of next Assembly.

The following Message, Viz.^t

By the Lower House of Assembly, Nov, 27. 1766.

May it please your Honours,

Since the Journal was sent up to your House, his Excellency the Governor has requested an Allowance to be made him, for Money expended by him, for Expenses and Postage of Letters during the War and this House have agreed to allow him £70, and on the Petitions of Anne Gaither, and Wright Mills, to be reimbursed, for Damages done them by unknown People in pulling down the House, claimed to be the Right of the said Anne Gaither and destroying the Tools and Work of the said Wright Mills, who was repairing the said House, this House have agreed to allow the Representatives of Samuel Gaither £100 for the Damages done to the said House, and the Sum of £13..7..3 to the said Wright Mills, for his

L. H. J. Damage. And this House, likewise have engaged to pay Caleb
Liber No. 52 Dorsey, for Fire Wood used by us this Session, £3..15. We are
Nov. 27 desirous of adding the above Allowances to the present Journal, to
be paid with the other Public Claims, by the Bill now before us for
that Purpose, and request your Honours Concurrence.

Signed per Order MMacnemara Cl. Lo. Ho.

Was sent to the Upper House, by M.^r Grahame, and M.^r Hanson.

The Bill, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, &^{ca} was read the second Time, and will pass, and was sent to the Upper House, by M.^r Wright and M.^r Smith.

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

M.^r Beall appeared in the House.

p. 469 A Bill, entitled, An Act, for the Relief of certain languishing Prisoners, in the several County Goals in this Province, was read the first Time, and ordered to lye on the Table.

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, the following Message, Viz.^t

Gentlemen,

We have no Objections to your inserting in the Journal of Accounts, the several Allowances mentioned in your Message of this Day, by Mess.^{rs} Grahame, and Hanson. We send you, with this, an Account for Fire Wood, furnished during this Session, for the Use of this House, for which we desire an Allowance may also be made in the Journal.

Signed by Order, U. Scott, Cl. Pp. Ho.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the speedy and effectual Publication of the Laws of this Province, &^a Indorsed, "By the Upper House of Assembly, November 27, 1766: Read the first and second Time, by especial Order, and will pass."

Which Bill was read here and passed for ingrossing

The Order of the Day being read, the House referred the Petition of Mayberry Helmes, for an Hearing on the Morrow.

M.^r Allen and M.^r Selby have Leave of Absence.

The House adjourns till the Morrow Morning at 9 of the Clock

Friday, November 28.

L. H. J.
Liber No. 52
Nov. 28

The House met.

All appeared as Yesterday.

S. Chase, Esq appeared in the House.

M.^r Lecompte hath Leave of Absence.

M.^r Mackall appeared in the House

Ordered, That M.^r Grahame, and M.^r Gantt, do go with that Gentleman to the Upper House, to see him take the Oath of Abjuration, prescribed by the Act of Parliament passed last Session. They return, and acquaint M.^r Speaker, that that Gentleman had taken the Oath aforesaid, and subscribed the same.

The Bill entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned, was read the second Time, and will pass; and was sent to the Upper House, with the Journal of Accounts, and Lists of Debts annexed, by M.^r Murdock, Esq and seven more.

The Petition of Mayberry Helmes, was read a second Time; and, after hearing at the Bar the Objections thereto, the same was Granted.

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

J. Ridout, Esq from the Upper House delivers to M.^r Speaker, the Bill, entitled, An Act to remedy the Evils arising from the retailing Strong Liquors in small Quantities without License, &^{ta} Indorsed, "By the Upper House of Assembly, Nov. 22. 1766: Read the second Time, and will not pass.

Signed by Order U. Scott, Cl. Up. Ho."

On Motion, Ordered, That John Hall, T. Johnson, S. Chase, T. Ringgold, and W. Murdock, Esq.^{rs} do prepare and bring in a Message to enforce the Passage of the Bill to remedy the Evils arising from the Sale of Strong Liquors in small Quantities, &^{ta}

T. Ringgold, Esq brings in and delivers to M.^r Speaker, a Bill, entitled, An Act of Gratitude to the Right Honourable William Pitt, Earl of Chatham, and the Right Honourable Charles Pratt, Lord Cambden: Which was read the first Time, and ordered to lye on the Table.

T. Ringgold, Esq brings in and delivers to M.^r Speaker, a Bill, entitled, a Supplementary Act to the Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and other Purposes therein mentioned: Which was read the first Time, and ordered to lye on the Table.

L. H. J.
Liber No. 52
Nov. 28 Capt. Cockey Deye, brings in, and delivers to M.^r Speaker, a Bill, entitled, An Act to remove a Nuisance in Baltimore Town, in Baltimore County, and for other Purposes therein mentioned: Which was read the first Time, and Ordered to lye on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 29
p. 470

Saturday, November 29.

The House met

All appeared as Yesterday, except M.^r Allen, Capt. Selby, M.^r Lecompte, and M.^r Tyler

The Bill, entitled, An Act of Gratitude to the Right Honourable William Pitt, Earl of Chatham, and the Right Honourable Charles Pratt, Lord Cambden, was read the second Time, and will pass; and was sent to the Upper House, by T. Johnson, Esq and Col. Henry.

The Bill, entitled, An Act for the Relief of several languishing Prisoners, &^{ta} was read the second Time, Passed; and was sent to the Upper House, by Capt. Cockey Deye, and M.^r Sothoron.

M.^r Fielder Gantt, brings in, and delivers to M.^r Speaker, the Bill, entitled, An Act empowering the Justices of Frederick County, to levy on the Taxable Inhabitants of said County, a Quantity of Tobacco, for building a Stone Wall around the public Prison. Which was read the first Time, and ordered to lye on the Table.

The Petition of the Subscribers, Merchants, and others, Inhabitants of the Town of Baltimore, in Baltimore County; Was read the second Time, and Leave given to bring in a Bill as prayed for

Ordered, That M.^r J. Hall, of Baltimore, D Wolstenholme, T. Johnson, S. Chase Esq.^{rs} M.^r Lee, and M.^r F. Gantt, do prepare and bring in a Bill accordingly.

The Bill, entitled, a Supplementary Act to the Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and other Purposes therein mentioned: Was read the second Time, and the Question was put, that the said Bill do pass? Resolved in the Affirmative

For the Affirmative

Wolstenholme,
Key,
Ringgold,
H. Hall,
Hanson,
Dent,

Smallwood,
Ware,
Lee,
Earle,
Murdock,
Bealle,

Jacob,
Chase,
J. Hall, Annap.
Harris.

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For the Negative

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Sothoron,	Grahame,	F. Gantt,
Worthington,	Cockey Deye,	Chapline,
Johnson,	J. Hall, Baltimore,	Smith,
Mackall,	Hyland,	Henry
E. Gantt,	Wright,	[14]

Which Bill was indorsed; Read the second Time, and will Pass; and was sent to the Upper House, by M.^r Dent, and M.^r H. Hall.

On Motion, Leave is given to bring in a Bill to repair the Public Roads.

Ordered, That M.^r Lee, M.^r Hall, of Baltimore, T. Johnson, S. Chase, Esq.^{rs} and M.^r Fielder Gantt, do prepare and bring in a Bill accordingly.

The Report^r brought in by W. Murdock, Esq^r on the 15.th Instant (from the Committee appointed) was read the second Time, and the House unanimously concur with the Subject Matter therein reported; and Ordered, That the said Committee be continued as such, and that they make a final Report to the Lower House, at the next Session of Assembly

On reading a second Time, the Report from the Committee appointed to enquire and Report to the House, by what Law or Custom the Lord Proprietary of this Province receives the Fines, Forfeitures, and Amerciaments, arising in the Courts of Justice, and also the 12.^d per Hogshead, on all Tobaccos exported out of this Province; the Annual Amount of such Fines, Forfeitures, Amerciaments, and Twelve Pence, per Hogshead for the last seven Years, to what Uses and Purposes the same have been applied, with their Opinion as to the Justice of such Receipt and Application; and that the said Committee have Power to send for Persons, Papers and Things, necessary to perfect such Inquiry and Report. The House unanimously Concur therewith; and Resolve, that the Honourable Speaker, M.^r Edward Tilghman, M.^r Murdock, M.^r John Hall, of Annapolis, M.^r Thomas Johnson, M.^r Ringgold, M.^r Chase, M.^r Hanson, M.^r Worthington, M.^r Grahame, and M.^r John Hall, of Baltimore, or the major Part of them, be, and are hereby appointed a Committee to compleat and finish the said Inquiry; and, for that Purpose, they are requested by this House, to meet at the City of Annapolis, at some convenient Time, in the Recess, when they will have no Interruption from the Public Business, and make such further Researches respecting the 12.^d per Hogshead, as they shall think necessary, to enable them to report fully their Opinion, and the Reasons whereon the same is founded, to this House, at the next Session of Assembly.

And whereas, to make a full and satisfactory Enquiry and Report on the above Matter, it is deemed requisite, that a thorough

L. H. J. Examination and Inspection be made into all the Acts that have
 Liber No. 52 been passed, and Resolves that have been made, relative to the
 Nov. 29 Revenue, and every Branch thereof, and raising and levying Money
 upon the People in any Manner whatsoever, towards supporting
 the executive Powers of Government, together with the cotemporary
 Journals and Proceedings, not only of this House, but also of
 the Upper House, and Governor and Privy Council. It is there-
 fore further Resolved, That the said Committee have free Access
 to all Papers, Books, and Records, in any of the Public Offices, to
 search and examine the same, and take Copies of any Part thereof
 they may think proper: And also, That the said Committee, have
 Power to employ a Clerk, who shall have the same Daily Allowance,
 under them, as Clerks in Session's Time have, and that the House
 will take Care that the said Committee be indemnified for any
 Reasonable Expençe that may be incurred in prosecuting said
 Inquiry.

The House adjourns till Monday Morning at 9 of the Clock

Dec. 1

Monday, December 1.

The House met.

M.^r Edmondson, J. Hammond Esq Col. Loyd, M.^r Buchanan,
 and M.^r Tyler appeared in the House.

The Bill, entitled, An Act for the speedy Foreclosure of Mort-
 gages, was read and committed for Amendments.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker,
 the Bill, a Supplementary Act to the Act, entitled, An Act to prevent
 the Mischiefs arising from the Multiplicity of useless Dogs, and
 for other Purposes therein mentioned: Indorsed, "By the Upper
 House of Assembly. Read the second Time, and will pass." Which
 Bill was read here, and passed for ingrossing.

The Bill, entitled, An Act for the Preservation of the Breed of
 Fish; was read the second Time, and will pass, and was sent to
 the Upper House, by M.^r Jacob, and J. Hall, Esq.

On Motion, Ordered, That M.^r Speaker do issue his Warrant
 to the Deputy Secretary of this Province, to make out a Writ of
 Election, directed to the Sheriff of Baltimore County, to elect a
 Delegate, to serve in the General Assembly of this Province, in
 the Room of M.^r James Heath, lately deceased.

The House adjourns till the Morrow Morning, at 9 of the Clock.

Tuesday, December 2.

L. H. J.
Liber No. 52
Dec. 2

The House met.

The Bill, entitled, An Act empowering the Justices of Frederick County, to levy on the Taxable Inhabitants of said County, a Quantity of Tobacco, for building a Stone Wall around the Public Prison, &^{ta} was read the second Time, and will pass, and was sent to the Upper House, by M.^r Gantt, and M.^r Smith.

S. Chase, Esq brings in, and delivers to M.^r Speaker, a Bill, entitled, a Supplementary Act to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, and the restraining their ill Practices, within this Province: Which was read the first Time, and Ordered to lye on the Table.

M.^r Grahame, brings in and delivers to M.^r Speaker, a Bill, p. 472 entitled, A Supplementary Act to the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees: Which was read the first Time, and ordered to lye on the Table.

The Bill, entitled, An Act to oblige infected Ships and other Vessels coming into this Province, to perform Quarentine: Was read the first Time, and ordered to lye on the Table

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the Relief of certain Languishing Prisoners, &^{ta} Indorsed, "By the Upper House of Assembly, December, 2, 1766: Read the second Time, and will pass, leaving out the Names of John Doncastle, of Charles County; and of Mayberry Helmes, Jun.^r of Baltimore County:"

And the Bill, entitled, An Act empowering the Justices of Frederick County, to levy on the Taxable Inhabitants of said County, a Quantity of Tobacco for building a Stone Wall around the Public Prison, &^{to} Indorsed, " By the Upper House of Assembly, December 2, 1766; Read the first and second Time, by especial Order, and will pass." Which Bill was read here, and passed for ingrossing.

On Motion, That a Message be prepared, and sent to the Upper House, to enforce the Passage of the Prisoners Bill:

Ordered, That S. Chase, Esq M.^r Hanson, and W. Murdock, Esq do prepare and bring in a Message accordingly.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned.

L. H. J. Indorsed, "By the Upper House of Assembly, November 28, 1766:
Liber No. 52 Read the first Time, and Ordered to lye on the Table.
Dec. 2

Signed by Order, U. Scott, Cl. Up. Ho."

And the following Message, Viz.^t

By the Upper House of Assembly, Dec.^r 2, 1766.

Gentlemen,

We have returned the Bill, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, [*The Message beginning thus is printed in full in the Upper House Journal, pp. 122-123*].

p. 473 The ingrossed Bills, Viz.^t

N.^o 13. An Act continuing an Act, entitled, An Act for imposing an additional Duty of two Pounds per Poll, on all Negroes imported into this Province.

N.^o 14. An Additional Supplementary Act to the Act, entitled An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers.

N.^o 15. An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties to bind out the Persons therein mentioned, Apprentices.

N.^o 16. An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer

N.^o 17. A Supplementary Act, to the Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and for other Purposes therein mentioned

Were sent to the Upper House, with the Paper Bills, by M.^r F. Gantt, and M.^r Sothoron.

The House adjourns till the Morrow Morning at 9 of the Clock

Dec. 3

Wednesday, December, 3.

The House met

On Motion, the Question was put, That the Warehouse in the Fork of Gun-Powder, be suppressed? Resolved in the Affirmative.

For the Affirmative

Wolstenholme,	Mackall,	Lee,
Sothoron,	E. Gantt,	Earle,
Ringgold,	Grahame,	S. Chase,
Lloyd,	Hanson,	J. Hall, Annap.
H. Hall,	Dent,	Harris,
Hammond,	Smallwood,	F. Gantt.
Johnson,	Henry,	

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For the Negative

Buchanan,
Edmondson,
Ware,
Cockey Deye,

Hyland,
Bealle,
Jacob,
Tyler,

Wright,
Chapline,
Smith.

L. H. J.
Liber No. 52
Dec. 3

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B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the following Paper Bills, Viz.^t

N.^o 13. An Act continuing an Act, entitled, An Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province

N.^o 14. An Additional Supplementary Act to the Act, entitled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers.

N.^o 15. An Act to ease the Inhabitants of this Province, and to impower the Justices of the several Counties to bind out the Persons therein mentioned, Apprentices.

N.^o 16. An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

N.^o 17. A Supplementary Act to the Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and for other Purposes therein mentioned. p. 474

Severally indorsed, "By the Upper House of Assembly, the indorsed Bill, whereof this is the Original, is read and assented to."

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the Preservation of the Breed of Fish: Indorsed, "By the Upper House of Assembly: Read, and with the Amendments herewith sent, will pass, Viz. in the 12.th and 13.th Lines of the first Page, strike out the Words, "or suffer three Months Imprisonment, without Bail or Mainprise," In the 15.th and 16.th Lines, of the 1.st Page, leave out the Words, "towards defraying the public Charge," and insert the following Words, Viz.^t "As the General Assembly shall hereafter direct." In the 7.th Line of the 2.^d Page, after the Word, "aforesaid," insert the following Words, Viz.^t "with full Costs of Suit." In 3.^d Line of 3.^d Page, after the Word, "aforesaid," insert the following Words, Viz. "With full Costs of Suit." In 6.th Line of 3.^d Page, after the Word, "Potowmack," insert following Words, Viz. "below the Falls aforesaid." In 9.th Line Same Page, leave out the Words, "Potowmack River, or in the Branches thereof, below the Mouth of the Eastern Branch of said River," and insert in Lieu thereof, the Words, Viz.^t "Any Part of Potomack River, Branch of said River," and insert in Lieu thereof, the Words, Viz.^t "Any Part of Potowmack River, below

L. H. J. the Mouth of the Eastern Branch, or in any of the Branches of the
 Liber No. 52 said River, below the Mouth of the said Eastern Branch”
 Dec. 3

Which Amendments were here read, and the House unanimously disagrees thereto.

The Governor communicated to M.^r Speaker, the following Message, Viz.^t

Gentlemen of the Lower House of Assembly,

By a Letter I have lately received, from the Lords Commissioners for Trade and Plantations, I am required to prepare, and as soon as possible, transmit to them, in Order to be laid before the House of Commons, a particular and exact Account of the several Manufactures, which have been set up, and carried on within this Province, since the Year 1734, and of the Public Encouragements which have been given thereto. As you, Gentlemen, must, from the Circumstance of your residing in different Parts of the Province, and from your Acquaintance among the People be able to give me the best Information, I hope you will readily do so, that I may, without Delay, comply with their Lordship's Requisition

December 3. 1766

Hor.,^o Sharpe

Which was read the first Time, and ordered to lye on the Table

On reading the second Time, the Supplementary Bill, to the Act, entitled, An Act for amending the Staple of Tobacco, &^{ta} the Question was put that the following Clause be left out, Viz.^t And, whereas the packing Tobacco, in bad Condition, or mixed with Trash of any kind, for which it is refused by the Inspectors, until it is picked over, and reprimed, must depreciate such Tobacco greatly, and such Negligence ought to be much discouraged, and the Buyers of such picked Tobacco be apprised of its inferior Quality Be it therefore Enacted, that it shall, and it is hereby declared to be the Duty of every Inspector, and they are hereby directed and required, to certify on the fface of every Crop Note, or Receipt, that shall hereafter be by them, or any of them, given, for any such picked Tobacco, that the same has been picked.” Resolved in the Affirmative

For the Affirmative

Buchanan,
 Worthington,
 Hammond,
 Mackall,
 E. Gantt,
 Edmondson,
 Dent,

Smallwood,
 Ware,
 Hanson,
 Henry,
 Cockey Deye,
 J. Hall, Balt.
 Bealle,

Jacob,
 Tyler,
 Hall,
 Harris,
 Chapline,
 Smith.

[20]

For the Negative

Wolstenholme,
Sothoron,
Key,
Ringgold,
Lloyd,

H. Hall,
Johnson,
Grahame,
Lee,
Earle,

Hyland,
Murdock,
Chase,
Wright,
F. Gantt.

L. H. J.
Liber No. 52
Dec. 3

[15]

The House adjourns till 2 of the Clock.

p. 475

Post Meridiem.

The House met.

The following Message, Viz.

By the Lower House of Assembly, December 3, 1766.

May it please your Honours,

This House having heard, and fully considered the Allegations of John Slye, and Daniel Barnett, contained in their Petition, against the Relief of Mayberry Helmes, jun.^r of Baltimore County, that he had made over to, and otherwise deposited all, or most of his Estate, with his Father in Trust, to defraud them, his Sureties, for a large Sum of Sterling Money; it appeared clearly, to the universal Satisfaction of this House, that they were only his Sureties, in a Bond for £600. the Consideration of a Cargo of Goods, which were divided among them, and that no fraud whatever, has been committed, or designed by the said Mayberry Helmes, Jun.^r or his Father, to injure the said John Slye and Daniel Barnett, or any other of his Creditors. As he seems to this House an Object worthy of Relief, utterly unable ever to discharge his Debts, and wholly clear of all Fraud, we hope your Honours will agree to the Continuance of his Name in the Bill.

Nothing has yet occurred to this House, to deprive John Doncastle, of Charles County, of the Benefit intended him by the Bill. We therefore hope your Honours Concurrence with the Bill now returned to you, for that Purpose. Should sufficient Reasons still remain with your Honours, to induce you to refuse him his Liberty, those Reasons, when communicated to us, shall have their proper weight.

Signed by Order, MMacnemara Cl. Lo. Ho.

Was sent to the Upper House, with the Prisoners Bill, by M.^r Earle and M.^r Hanson.

On Motion, That a Message be sent in Answer to the Message from Upper House, relative to the Bill, entitled, An Act for Payments of the Public Claims, &^{ta}

Ordered, That T. Johnson, J. Hammond, D. Wolstenholme, W. Murdock, J. Hall, T. Ringgold, Esq.^{rs} do prepare and bring in a Message accordingly.

L. H. J. The Supplementary Bill for amending the Staple of Tobacco, &^{ta}
Liber No. 52 was read the second Time, and will pass; and was sent to the Upper
Dec. 3 House, by M.^r Grahame, and M.^r Buchanan.

The Supplementary Bill to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, &^a was read the second Time and will pass.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Supplementary Bill to the Act, entitled, An Act for amending the Staple of Tobacco, &^{ta} Indorsed “By the Upper House of Assembly, December 3, 1766: Read the first Time, by an especial Order, and will pass, leaving out the fifth and sixth Pages.

Signed by Order, U. Scott, Cl. Up. Ho.”

On reading the aforesaid Alteration proposed, the first and second Time, the House concurs therewith, and the said Bill was indorsed, Read, and with the Alteration proposed, passed for ingrossing.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 4

Thursday, December 4.

The House met.

A Bill, entitled, An Act for amending and repairing the Public Roads in Baltimore and Frederick Counties was read the first Time, and ordered to lye on the Table.

A Bill, entitled, An Act to prevent the Exportation of Flour, Staves and Shingles, not merchantable from the Town of Baltimore, in Baltimore County, and to regulate the Measure of Grain, and Firewood within the said Town; was read the first Time, and ordered to lye on the Table.

A Bill, entitled, An Act concerning the Name of John Beale Bordley, was read the first Time, and Ordered to lye on the Table.

p. 476 D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for the Relief of several languishing prisoners, &^{ta} And the following Message, Viz.^t

By the Upper House of Assembly, December 4, 1766.

Gentlemen,

We make no Doubt, but you received from the Evidence offered to your House, full Satisfaction upon your Enquiry into the Foundation of the Allegations contained in the Petition of Mess.^{rs} Slye and Barnett, against the Relief of Mayberry Helmes, Jun.^r of Baltimore County, nor is any Thing in that Petition the Ground of our objecting to his Name's being inserted in the Bill for Relief of languishing Prisoners; and we presume, also, that you had sufficient Cause for rejecting the Petitions of several Prisoners who have applied this Session for Relief. Our Objection to the Relief

of Helmes, arises from an Information that he has been guilty of great Fraud in obtaining a Sum of Money from M.^r Nicholas Maccubbin; and we think, that when a Prisoner's Character is not clear, he is not entitled to our Favour. We have great Reason also, to suspect that John Doncastle hath acted with a great Degree of Unfairness, if not of Fraud, towards one of his Creditors, the Circumstances whereof having been communicated to this House in the Petition of Doctor David Ross. For those Reasons, we think that the other Prisoners, whose Conduct hath not been objected to, ought to be distinguished from Helmes and Doncastle, in our Consideration.

L. H. J.
Liber No. 52
Dec. 4

Signed by Order U. Scott, Cl. Up. Ho.

On reading the Alterations proposed by the Upper House to the Bill, entitled, An Act for the Relief of several languishing Prisoners &^{ta} the House agrees therewith. The Alterations were made, and the Bill was indorsed: Read, and with the proposed Alterations, passed for ingrossing

The Committee appointed December 20, 1765, to correspond with Charles Garth, Esq in Recess of Assembly, and to bring in now an Answer to M.^r Garth's Letters to the Speaker, to be sent him now by the House, in the Name of the Speaker, were continued, with the Addition of J. Hall, Esq

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met

M.^r Hall of Baltimore hath Leave of Absence.

M.^r Edmondson brings in, and delivers to M.^r Speaker, the following Report, Viz.^t

By the Committee of Elections and Privileges, Dec.^r 4, 1766.

Your Committee having inspected the Writs directed to the Sheriffs of Saint Mary's and Dorchester Counties; and also the Writ directed to the Mayor, Recorder, and Aldermen of the City of Annapolis, for electing Deputies and Delegates to serve in this General Assembly, and the Returns thereto annexed; do find, That M.^r John Hall, a Delegate for the City of Annapolis, is duly returned. That Col. John Henry is returned a Delegate for Dorchester County; but, that the Writ, to which the Indenture is annexed, has no Indorsement thereon. And also, That M.^r Thomas Key, is returned a Delegate for Saint Mary's County; but, that the Writ, to which the Indenture is annexed, has no Indorsement thereon.

All which is humbly submitted to the Consideration of the Honourable House.

Signed per Order, Henry Wilkins, Cl.

L. H. J. T. Johnson, Esq brings in, and delivers to M.^r Speaker, the
 Liber No. 52 following Resolves, prepared by the Committee appointed Viz
 Dec. 4

p. 477 On reading the second Time the Message of the Upper House, of the Second Instant, with the Bill, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned, by Benedict Calvert, Esq Unanimously Resolved, That the said Bill is a Money Bill; that it is the fundamental and undoubted Right of this House, solely and exclusively, to frame all Money Bills, and therein to limit the Matter, Manner, Measure and Time of all Grants and Dispositions of Public Money whatsoever, and that this House never will give up, wave, or weaken, in any Manner, that great Privilege of the People. That the Upper House clearly have no Right or Constitutional Power to propose or offer any the least Amendment to Money Bills, but ought solely to pass, or reject the same.

Unanimously Resolved, therefore, That the said Message, proposing Amendments to the said Bill, is unconstitutional, and an Attempt to infringe the most valuable inherent and essential Right of the Freemen of this Province.

Resolved further, That were some of the Matters proposed by the said Message, rather to be adopted, than the present Frame and Language of the Bill, yet it is sufficiently perfect to answer the intended Purposes; and that, if Amendments should be necessary, Omissions or Defects may be supplied by a Supplementary Bill, as is frequently done, with their Honours hearty Concurrence in many Instances, of which the Inspection Law is a recent Example.

But, Resolved, That the said Bill does not require the Commissioners safely to keep the Stamps and Flowers longer in their Office, than the Duration of their Power. They are not directed to keep them longer than they are to have the Custody and Keys of the old Paper Money Office, which is till an Examination of their Proceedings had by a Committee of both Houses of Assembly. That the Upper House thinking it proper there should be two Commissioners present at the Delivery of Bills of Credit, but, in Case of the Inability of one of them, from Sickness, or other reasonable Cause, to attend some Provision was requisite, in Order to prevent a total Stop to the Business, includes the Idea of more than two Commissioners being necessary, which may well coincide with Views of Power, but is burthensome and hurtful to the People. That the present Bill goes in this upon the same Principle of the old Paper Money Law, from whence Experience affords no Instance of Inconvenience, that of making the Presence of all the Commissioners necessary at every Opening of the Iron Chest, that all may be answerable for any Mal-Conduct, and the greater the Number of Commissioners, the more probable it is there would be a total Stop to the Business, from Sickness, or the like, unless

Part of the Number might act, and if any Thing was acted amiss, the Public sent on the vain Enquiry of, who did it? That the Service in recording Bonds and Orders, and in the safe Custody of them, might well have been paid for by the Commissioners out of their Salary.

L. H. J.
Liber No. 52
Dec. 4

That the Recital of the Agreement between the Two Houses, is done with Truth and Candour, and leaves no Room for an Inference, that either House has held a Conduct different from the fact, and that tho' the Upper House have not always dissented to the List of Debts, that yet they have in the Language of the Bill, as well this Session, as many others heretofore, done so, and it might have been added, always; but twice, one of which Times was the last Session, and the other towards the Close of the preceding Session, at a Time this House had formed a Resolution of discharging all public Claims by an Emission of Bills on the Credit of the publick Money, and after their Honours had dissented to that List the same Session, which shows their Want of Care to prevent an Inference, that their then Assent to the List of Debts, was calculated to destroy the fund, or shift the Odium of the Non-Payment thereof on this House. That the Upper House might well presume, that as the Attendance of those to whom the Keys of the Repository and Iron Chests are to be delivered, is not required, it was not intended, and, it is necessary clearly to express every Thing not intended by the Bill, the same might be spun out to such Length, that the Money to be emitted would be insufficient to pay for recording it.

That the Notion of a Propriety in their being two Commissioners to receive the Bills of Credit, and draw Bills of Exchange, as well as the Increase of Salary, to induce Gentlemen, properly qualified, to accept of the Appointment, may well enough correspond with the Ideas of numerous Dependents, but can answer no valuable Purpose, with Respect to the Public.

p. 478

Which the House ordered to be entered on the Journal, as such. And the following Message, Viz.

By the Lower House of Assembly, December 4, 1766.
May it please your Honours,

This House, claim as their inherent, undoubted, and fundamental Right, the sole and exclusive Formation of all Money Bills, and therein to limit the Matter, Manner, Measure and Time, of all Grants and Dispositions of Public Money, whatsoever; a Right so essential to the Liberties and Properties of those we represent, that we are determined never to give it up, or wave or weaken it in any Manner.

We therefore return to your Honours, the Bill for the Payment of the Public Claims, for emitting Bills of Credit, and for other

L. H. J. Purposes therein mentioned, whereon to indorse your Assent or
Liber No. 52 Negative, according to the established Mode of Parliamentary
Dec. 4 Proceeding.

But hope, from the evident Utility of the Bill, and to relieve the extreme Distress of the People, your Honours will give your Assent, as we are clearly of Opinion, it may in its present Frame, be well carried into Execution; and, that if any of the small Matters, pointed out by your Message, should be thought Imperfections, they may be aided at a Time of more Leisure, as well as those material Defects you intimate to be in the Bill; but, which we are not at present able to discover

Signed per Order, MMacnemara, Cl Lo. Ho.

Which was sent to the Upper House, with the Bill, entitled, An Act for Payment of the public Claims, &.^{ta} by Daniel Wols[t]enholme, Esq and 14 more.

W. Murdock, Esq brings in, and delivers to M.^r Speaker, an Address to his Majesty: Which was read the first and second Time, approved, and ordered to be ingrossed.

S. Chase, Esq brings in, and delivers to M.^r Speaker, an ingrossed Bill, entitled, An Act empowering the Justices of Frederick County, to levy, &^{ta} a Quantity of Tobacco, for building a Stone Wall around the Prison, &.^{ta} which was read and assented to, and sent to the Upper House, with the Paper Bill of the aforesaid ingrossed Bill, by M.^r Bealle, and M.^r Wright.

B. Calvert, Esq from the Upper House, delivers to M^r Speaker, the Bill, entitled, An Act to aid defective Common Recoveries: Indorsed, "By the Upper House of Assembly, Dec.^r 4, 1766: Read the second Time, and will pass, leaving out all that follows the Word, "notwithstanding," in the fifth Line of the last Page.

Signed by Order, U. Scott, Cl. Up. Ho."

Which Alterations being agreed to by this House, the said Bill was indorsed: Read and passed for ingrossing.

The Governor's Message of the 18.th Ult. and of the Third Instant, were severally read the second Time.

And on Motion, Ordered, That T. Johnson, T. Ringgold, Esq.^{rs} M.^r Grahame, J. Hammond, J. Hall of Annapolis, and D Wolstenholme, Esq.^{rs} do prepare and bring in an Address to the Governor, in Answer thereto.

The House adjourns till To Morrow Morning at 9 of the Clock.

Dec. 5

Friday, December 5.th

The House met.

All the Members appeared as Yesterday, except M.^r Hall, of Baltimore.

The Bill, entitled, An Act for the speedy Foreclosure of Mortgages: Was referred on the second Reading to the next Session of Assembly. L. H. J.
Liber No. 52
Dec. 5

The Bill, entitled, An Act to remove a Nuisance in Baltimore Town, in Baltimore County, and for other Purposes therein mentioned; was read the second Time, and will pass, and was sent to the Upper House, by M.^r Lee, and M.^r Key. p. 479

The Bill, entitled, An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarentine, was read the second Time, and the Question was put, That the said Bill do pass? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	{	Wolstenholme,	Mackall,	Lee,	
		Sothoron,	E. Gantt,	Hyland,	
		Key,	Grahame,	Bealle,	
		Lloyd,	Hanson,	Jacob,	
		Buchanan,	Dent,	Tyler,	
		Worthington,	Smallwood,	Chase,	
		H. Hall,	Ware,	J. Hall, Annap.	
		Hammond,	Edmonson,	Harris,	
		Johnson,	Cockey Deye,	Chapline.	[27]

For the Negative

Mess. ^{rs}	{	Ringgold,	Earle,	Smith.	
		Henry,	Wright,		[5]

Which Bill was indorsed, Read the second Time, and will pass; and was sent to the Upper House, by D. Wolstenholme, Esq and Col. Henry.

The Bill, entitled, An Act to prevent the Exportation of Flour, Staves, &^{ta} from Baltimore Town, in Baltimore County, &^{ta} was referred to the Consideration of next Assembly.

In Progression of reading the second Time, the Bill, entitled, An Act for amending and repairing the Public Roads in Baltimore County.

On Motion of Capt. Cockey Deye, That a Duty be laid on Pig and Bar Iron exported out of Baltimore County, towards defraying the Expence of keeping the Public Roads, in that County, in Repair. The Question was put, Whether a Clause should be inserted in the Bill for that Purpose, or not? The House being divided on the aforegoing Question, it was determined in the Negative, by the Honourable Speaker.

L. H. J.
Liber No. 52
Dec. 5

For the Negative

Mess. ^{rs}	{	Wolstenholme,	Johnson,	Lee,
		Sothoron,	Grahame,	Earle,
		Key,	Dent,	Chase,
		Ringgold,	Smallwood,	Wright.
		Lloyd,	Ware,	
		H. Hall,	Henry,	[16]

For the Affirmative

Mess. ^{rs}	{	Buchanan,	Edmondson,	J. Hall, Annap.
		Worthington,	Cockey Deye,	Harris,
		Hammond,	Hyland	Chapline,
		Mackall,	Beall,	Smith.
		E. Gantt,	Jacob,	
		Hanson,	Tyler,	[16]

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met.

M.^r J. Adams appeared in the House.

Ordered, That M.^r Smallwood, and M.^r Jacob, do go with M.^r Adams, to the Upper House, to see him take the Oath of Abjuration prescribed by the Act of Parliament made last Session. They return, and acquaint M.^r Speaker, that M.^r Adams had taken the Oath aforesaid, and subscribed the same.

On Progression in reading the Bill for amending and repairing the Roads in Baltimore and Frederick Counties, the Question was put, That Frederick County be struck out of the Bill? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	{	Buchanan,	Edmondson,	Tyler,
		Worthington,	Cockey Deye,	J. Hall,
		Hammond,	Lee,	Harris,
		Mackall,	Hyland,	Chapline,
		E. Gantt,	Beall,	Smith.
		Grahame,	Jacob,	[17]

For the Negative

Mess. ^{rs}	{	Wolstenholme,	Johnson,	Henry,
		Sothoron,	Hanson,	Earle,
		Ringgold,	Dent,	Chase,
		Lloyd,	Smallwood,	Wright.
		H. Hall,	Ware,	
				[14]

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act to remove a Nuisance in Baltimore Town, &^{ta} Indorsed, "By the Upper House of Assembly, Dec.^r 5, 1766: Read first and second Time, by especial Order, and will pass." L. H. J.
Liber No. 52
Dec. 5
p. 480

Which Bill was here read, and passed for ingrossing

Richard Lee, Esq from the Upper House, delivers to M.^r Speaker, the Journal of Accounts, Indorsed, December 5, 1766: Read and assented to by the Upper House of Assembly.

Signed by Order, U. Scott, Cl Up. Ho.

And the Bill, entitled, An Act for Payment of the Public Claims, &^{ta} Indorsed, "By the Upper House of Assembly, Dec.^r 5, 1766: Read the second Time, and will pass.

Signed by Order, U. Scott, Cl. Up. Ho."

Which Bill was read here, and passed for ingrossing.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, A Supplementary Act, to the Act, entitled, An Act for the Direction of Sheriffs in their Offices, &^{ta} Indorsed, "By the Upper House of Assembly, Dec.^r 5, 1766: Read the first and second Time, by especial Order and will not pass."

And the Paper Bill, entitled, An Act empowering the Justices of Frederick County, to levy on the Taxable Inhabitants, a Quantity of Tobacco, for building a Stone Wall around the Public Prison, in said County, and for other Purposes therein mentioned: Indorsed, "By the Upper House of Assembly, the ingrossed Bill, whereof this is the Original, is read and assented to

And the Bill, entitled, An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarentine; Indorsed, "By the Upper House of Assembly, Dec.^r 5, 1766: Read the first and second Time, and, with the following Amendments, will pass, Viz.^t In the 8.th Line of the first Page, leave out the Word, "Twenty." and insert in its Place, the Word, "Thirty," In the 7.th Line of the second Page, after the Word, "recovered," insert the Words, "with full Costs of Suit."

Signed by Order, U. Scott, Cl. Up. Ho."

Which Bill was read here, and with the Amendments proposed, passed for ingrossing.

The Report per M.^r Worthington, of the 26.th November 1766, was read the second Time, and the House concurs therewith.

D. Dulany, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act of Gratitude to the Right Honourable William Pitt, Earl of Chatham, and to the Right Honourable Charles Pratt, Lord Cambden, Indorsed, "By the Upper House of Assembly, Dec.^r 5, 1766: Read the second Time, and will not pass."

And the following Message, Viz.

By the Upper House of Assembly, Dec.^r 5, 1766.

L. H. J. Gentlemen,
 Liber No. 52
 Dec. 5

We have returned the Bill, entitled, An Act of Gratitude to the Right Honourable William Pitt, Earl of Chatham, and the Right Honourable Charles Pratt, Lord Cambden, with a Negative because you have thereby assumed the exclusive Right of appropriating or applying a Sum of the Public Money, expressly by Law Subject to the Disposition of the General Assembly. If you will frame a Bill for the Purposes of that which we have rejected, in a Manner consistent with our Rights, we shall be willing to give our Assent to it.

Signed by Order U. Scott, Cl. Up. Ho.

The Bill, entitled, An Act concerning the Name of John Beale Bordley, was read the second Time, and passed, and sent to the Upper House, by T. Johnson, and J. Hall, Esq.^{rs}

On reading the second Time, the Bill, entitled, An Act for amending and repairing the Roads in Baltimore County; the Question was put, That the said Bill do pass? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	{	Wolstenholme,	Johnson,	Henry,	
		Sothoron,	E. Gantt,	Lee,	
		Key,	Grahame,	Earle,	
		Ringgold,	Hanson,	Chase.	
		Lloyd,	Smallwood,		[16]
		H. Hall,	Ware,		

For the Negative

Mess. ^{rs}	{	Buchanan,	Cockey Deye,	Wright,	
		Hammond,	Hyland,	Harris,	
		Mackall,	Bealle,	Chapline,	
		Dent,	Jacob,	Smith.	
		J. Adams,	Tyler,		[16]
		Edmondson,	J. Hall, Annap.		

p. 481 The House being divided on the Question aforesaid, it was determined in the Affirmative by the Honourable Speaker; and the said Bill was accordingly indorsed, Read the second Time, and will pass.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act concerning the Name of John Beale Bordley; Indorsed, "By the Upper House of Assembly, December 5, 1766: Read the second Time, and will pass." Which Bill was read here, and passed for ingrossing.

The Bill, entitled, An Act for Payment of the Public Claims, &c.^{ta} was read, and passed for ingrossing

The House adjourns till the Morrow Morning at 9 of the Clock

Saturday, December 6.

L. H. J.
Liber No. 52
Dec. 6

The House met.

All appeared as Yesterday, except M.^r Murdock,

M.^r Baker appeared in the House.

The Bill, entitled, An Act for amending and repairing the Public Roads in Baltimore County, was sent to the Upper House, by M.^r Lee, and Col. Lloyd.

The ingrossed Bills, entitled,

N.^o 19. A Supplementary Act, to the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers fees.

N.^o 20. An Act for the Relief of several languishing Prisoners in the County Goals therein mentioned.

N.^o 21. An Act to aid defective Common Recoveries.

N.^o 22. An Act to remove a Nuisance in Baltimore Town in Baltimore County, and for other Purposes therein mentioned

N.^o 22. [23] An Act concerning the Name of John Beale Bordley. Severally indorsed, "By the Lower House of Assembly, Dec.^r 6.th 1766: Read and assented to by the Lower House of Assembly.

Signed by Order, MMacnemara Cl. Lo. Ho."

Were sent to the Upper House, with the Paper Bills, by M.^r Worthington, M.^r Edmondson.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Paper Bills N.^o 19, 20, 21, 22, 23, (mentioned as above) Severally indorsed, "By the Upper House of Assembly. The ingrossed Bill, whereof this is the original, is read and assented to"

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, Act Act for amending and repairing the Public Roads, in Baltimore County, Indorsed, "By the Upper House of Assembly, December 6, 1766. Read the first and second Time, by special Order, and will pass.

Signed by Order U. Scott, Cl. Up. Ho."

Which Bill was read here and passed for ingrossing.

And a Representation of Jonas Green, Printer: Indorsed, "By the Upper House of Assembly: Referred to the Consideration of the Lower House."

Which was here read the first Time, and ordered to lye on the Table.

J. Hall, Esq brings in, and delivers to M.^r Speaker, an Address to the Governor, Which was read, approved, and ordered to be ingrossed.

T. Johnson, Esq brings in, and delivers to M.^r Speaker, an

L. H. J. Address to the Governor: Which was read, approved, and ordered
Liber No. 52 to be ingrossed.
Dec. 6

The House adjourns till 2 of the Clock.

Post Meridiem.

The House met

J. Hall, Esq^r brings in, and delivers to M.^r Speaker, the following ingrossed Address, Viz.^t

To his Excellency, Horatio Sharpe, Esq^r Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Message, accompanying a Letter from M.^r Secretary Conway, one of his Majesty's Principal Secretaries of State, together with Copies of two Acts of Parliament, and Resolves of the British House of Commons, respecting the Colonies: We return your Excellency our hearty Thanks, for the early and kind Assurance given to his Majesty's Ministers of the affectionate Regard and Respect the People of this Province entertain for the Mother Country and the Parliament

p. 482 It is with Pleasure we can observe, that, altho' the Courts of Justice were in a Manner shut up, and all Business at a Stand for many Months, no Injury was done to the Person or Property of any one in this Province, except a trifling Loss that happened by the pulling down an old House, rented to the Stamp Distributor, in the Month of September 1765, and preceding any Meeting of our Assembly, after the Stamp Act was made; therefore no Tumults or Insurrections could be countenanced and inflamed by any Votes and Resolutions of our Assembly; and for that small Damage, respecting the House, Application hath been made to us this Session, and we, from Motives of Compassion, have made ample Satisfaction, as well in this Instance, as in others, where Damage was sustained by Individuals, whilst his Majesty's forces were among us.

There being none among us, to our Knowledge, who, from the Madness of the People, have suffered for their Deference to Acts of the British Legislature, we do not think that Part of the Secretary of State's Letter, applicable to any Thing that hath happened to this Province, the People in general having always remained quiet and peaceable.

Which was read, and assented to, and signed by Order of the House, by the Honourable Speaker.

Ordered, That D. Wolstenholme, Esq^r and Col. Henry, do acquaint the Governor, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return, and acquaint M.^r Speaker, the Governor

signified he would receive the Address in a Quarter of an Hour's Time in the Council Chamber.

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Ordered, That D. Wolstenholme, Esq and Col. Henry do present the Address.

The Representation of Jonas Green, was read the second Time, and Rejected.

The Bill, entitled, An Act to oblige infected Ships, and other Vessels, &^{ta} to perform Quarantine: And the Bill, entitled, An Act for the Payment of the Public Claims, &^{ta} were sent to the Upper House, by M.^r Hanson, and M.^r Wright.

T. Johnson, Esq brings in, and delivers to M.^r Speaker, the following ingrossed Address, Viz.^t

To his Excellency Horatio Sharpe, Esq governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

In Answer to your Excellency's Message, with the Copy of the Letter you received from the Lords Commissioners for Trade and Plantations, we can only say, what is very generally known, that nothing has been set up in this Province, which deserves the Name of a Manufactory. It is true, that several Families make some of their coarse Cloathing, within themselves, but in so few Instances as not to deserve Notice; and that without any Encouragements from the Public, or even private Subscriptions, except the small Bounty lately paid by the County Courts on a few Pieces of Linen. Your Excellency may well report, from your own Sight and Knowledge, that the Inhabitants of this Province, from the first to the lowest Rank, are generally clothed in British Manufactures. It is evident, we cannot import more of the British Manufactures than the Produce of our own Exports, with an Advantage to our Mother Country. The very heavy Burthen on Tobacco, and the small Nett Profit to the Planter, have already brought us greatly in Debt; from a Continuation therefore, of these Burthens, the Increase of the Price of those Manufactures, and their Decline in Quality, a Necessity must arise of Cloathing ourselves. Which was read and assented to, and Signed by Order of the House, by the Honble Speaker.

Ordered, That M.^r Lee, and M.^r Grahame, do acquaint the Governor, that this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it. They return, and acquaint M.^r Speaker, that the Governor signified he was ready to receive the Address immediately, in the Council Chamber.

Ordered, That M.^r Lee, and M.^r Grahame, do present the Address p. 483 to the Governor

An ingrossed Bill, entitled, An Act for amending and repairing

L. H. J. the Public Roads in Baltimore County, was read and assented to,
 Liber No. 52 and sent to the Upper House, with the Paper Bill, by M.^r Lee, and
 Dec. 6 M.^r Smallwood.

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the following Message, Viz.^t

By the Upper House of Assembly, December 6, 1766.

Gentlemen,

We think it a Point of Respect, due to the Lord Proprietary, to request the Favour of him to undertake the Execution of the Trust, credited by the Bill, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned. And therefore propose, that the Application be made to his Lordship, by an Address from both Houses. The two Houses addressed the late Lord Proprietary, to execute the Trust contained in the first Paper Currency Act, and in the Act of 1765, for limiting the Time for sinking the Paper Bills of Credit, his Lordship was requested to continue in the Trust and Care of superintending and directing the Conduct and Behaviour of the Trustees, residing in London, as himself, and his Noble Father had heretofore done, under the £90,000 Law.

Signed by Order, U. Scott, Cl. Up. Ho.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act for amending and repairing the Public Roads, in Baltimore County. The Bill, entitled, An Act to oblige Ships, &^{ta} to perform Quarantine. And the Bill, entitled, An Act for the Payment of the Public Claims, &^{ta} Severally indorsed, “By the Upper House of Assembly, Dec. 6, 1766: Read the second Time, and will pass.”

Which Bills were severally read here and passed for ingrossing

The Bill, entitled, An Act to enable the Commissioners of the Office of Bills of Credit, to purchase Stationary Ware necessary for the Uses of the Upper and Lower Houses of Assembly, and for other Purposes therein mentioned; was read the first and second Time, by especial Order, and will pass, and was sent to the Upper House, by Col. Lloyd, and D. Wolstenholme, Esq

B. Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Bill to enable the Commissioners of the Office of Bills of Credit, to purchase Stationary Ware, &^{ta} Indorsed, “By the Upper House of Assembly, Dec.^r 6, 1766: Read the first and second Time, by especial Order, and will pass.”

Which Bill was read here, and passed for ingrossing.

The ingrossed Bills Viz.^t

N.^o 24. An Act for amending and repairing the Public Roads in Baltimore County.

N.^o 25. An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarantine.

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N.^o 26. An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Persons [Purposes] therein mentioned.

Were severally read and assented to, and sent to the Upper House, with the Paper Bills, by Mess.^{rs} Grahame, & Buchanan

The following Message, Viz.

By the Lower House of Assembly, Dec.^r 6, 1766.

May it please your Honours,

In Answer to your Message, of this Date, by B. Calvert, Esq when we consider that the Lord Proprietary was requested by the Act of Assembly, lately passed, closing the Paper Currency Office, and appointing Trustees in London, to superintend those Trustees, and we look on this only as a Continuance of the same Trust, we do not see the Necessity of joining in any such Address as your Honours have mentioned. However, if your Honours should think otherwise, and will be pleased to prepare such Address, we are willing to join therein.

Signed per Order MMacnemara, Cl. Lo. Ho.

Ordered, That the following Resolves be entered on the Journal, Viz.

This House having, at this Session, as well as most others, since the Year 1739, passed a Bill to raise Money to support an Agent, to be employed by them, at the Court of London, to represent their Grievances to his Majesty, and transact the Provincial Affairs, and the same having been constantly refused by the Upper House, and the Journal of Accounts having also been refused by their Honours, ever since the Year 1756, unless this House would make an Allowance by a Tax on the People, for an Annual Salary to the Clerk of his Lordship's Council of State (over and above his Allowance as Clerk of the Upper House, and over and above his Fees settled by Law in the Year 1747, as Clerk of the Council) contrary to their fixed and settled Opinion; that the said Clerk, his reasonable Reward, as well as every Expense necessarily attending the Execution of the Powers of Government, ought to be defrayed out of the Fines, Forfeitures, Amerciaments, 12.^d per Hogshead, and other Monies, received under Colour of Law, to defray the Expences of Government, by which Means Public Credit having been greatly injured, and in a Manner annihilated, and the Public Creditors so long kept out of their just Claims, as to be reduced to the greatest Distress, and some of them to a State of Despair, although this Province now hath £30,000 Capital Stock of the Bank of England, a very sufficient Fund to issue Bills of Credit on, to pay those Claims, and give a Circulating Medium to their Commerce, languishing for Want thereof. To remedy these Evils, and promote, as far as in

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them lies, the Ease and Welfare of the Province, this House having agreed to carry the said Dispute between the Lord Proprietary, and the People, before his Majesty in Council, without any Public Money to pay an Agent, Whether his Lordship should pay the Clerk of the Council, his Claim, and other necessary Expences of Government, out of those Public Revenues? or, whether the People should be taxed, for them, and his Lordship keep all those Public Monies, without Account, to his private Use? Firmly relying on the Public Virtue and Spirit of their Constituents, that each, and every one, will contribute some Part of his Private Property, for employing an Agent in London, to conduct the settling and determining a Matter in which the County in general is so much interested; more especially, when at the same Time, and for nearly the same Expence, they may likewise procure Relief from other Aggrievances this Province labours under, and particularly the Want of a standing Agent at the Court of Great Britain to be maintained at the Public Charge.

Resolved Therefore, That this House do appoint Charles Garth, Esq; lately special Agent for this Province, their Agent for conducting and managing the Business aforesaid.

Resolved, That the Honourable Speaker, M.^r Murdock, Col. Tilghman, M.^r Ringgold, M.^r Johnson, and M.^r John Hall, of Annapolis, or any Three of them, be a Committee, in the Recess of Assembly, to correspond with the said Charles Garth, Esq; and that the said Committee do prepare, with all possible Dispatch, and transmit to the said Agent, a full State of the Dispute aforesaid, as well as of our other Aggrievances, more especially in relation to the 12.^d per Hogshead, and the Want of a public Support for an Agent, and also authenticated Copies of Records, and all other Papers and Matters necessary for carrying on the said Disputes; and that the said Committee of Correspondence lay Copies of their Letters to the said Agent, together with any Letters they may receive from him, before the next Assembly of the Delegates of this Province.

And whereas, for the supplying such Materials as may be necessary for the Purposes aforesaid, it may be deemed requisite by the said Committee, that a thorough Examination and Inspection be made into all the Acts that have been passed relative to the Revenue, and every Branch thereof, and raising and levying Money upon the People, in any Manner whatever, towards supporting the executive Powers of Government, together with the cotemporary Journals and Proceedings, not only of this House, but also of the Upper House, Governor and Council, and Governor and Privy Council.

Resolved also, That the said Committee have free Access to all Papers, Books, and Records, in any of the Public Offices, to search and examine the same, and demand and take Copies of any Part thereof, they may think proper: And also that the said Committee have Power to employ a Clerk, who shall have the same Daily Allowance under them, that Clerks in Session-time have; and that this

House will take Care that the said Committee be indemnified in prosecuting said Inquiry.

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And it is further Ordered, and Resolved, That it be the Duty of the said Members of the Committee, or any of them, and of all other Members of this House, to receive and take from all such Persons, as shall think fit to contribute, any Sum or Sums of Money, or Bill or Bills of Exchange, payable to the Members aforesaid, or their Order, for the carrying on those Disputes; and that such Money or Bills be delivered to the Committee aforesaid, or to such of them as shall be by the major Part of the said Members appointed to be by them negotiated, and from Time to Time, applied in the best Manner, as to them shall seem proper, to and for the Uses aforesaid; and that the said Committee render to the next Assembly of the Delegates a fair Account of their Proceedings therein.

Resolved Also, That there be a Lottery under the Management and Direction of William Murdock, Esq; Charles Carroll, Esq; Barrister, M.^r Thomas Sprigg, M.^r William Paca, M.^r John Weems, M.^r Thomas Gassaway, South River, M.^r Thomas Ringgold, M.^r Brice Thomas Beale Worthington, M.^r Henry Hall, M.^r John Hammond, M.^r Thomas Johnson, M.^r John Hall, of Annapolis, and M.^r Samuel Chase, or such of them as shall chuse to act Managers, on the following Scheme, by which to raise £1000 Current Money, which shall be paid to the Committee aforesaid, and be applied to the Purposes aforesaid.

1 Prize of	£500 is	£500
1 of	250 is	250
1 of	100 is	100
2 of	50 are	100
2 of	30 are	60
4 of	20 are	80
4 of	15 are	60
10 of	10 are	100
20 of	5 are	100
50 of	4 are	200
80 of	3 are	240
73 of	2 . 10 . . are	182 . 10 . .
2250 of	2 are	4500
1 First drawn Blank, ...		13 . 15 . .
1 Last drawn Blank, ...		13 . 15 . .
2500 Prizes		£6500
2500 Blanks		
5000 { Tickets at 30 s each,		
{ amounts to	£7500	
{ From which deduct. 1000		£6500

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Two and an half per Cent to be deducted from the Prizes, to defray the Expenses of the Lottery. The Drawing to be in the Court House at Annapolis, in the Presence of the Managers, and as many of the Adventures as shall be pleased to attend, on the last Monday in May, or sooner, if sooner full. The said Managers to give Bond to the Honourable Speaker, and to be upon Oath for the faithful Discharge of their Trust.

A List of the Prizes to be published in the Maryland Gazette, and the Prizes paid as soon as the Drawing is finished, and those not demanded in Six Months after the Drawing, to be deemed as generously given to the above Use.

The Scheme to be made public in the Maryland and Virginia Gazettes, and Pennsylvania Journal.

Thomas Ringgold, Esq brings in, and delivers to M.^r Speaker a Letter to M.^r Garth, which was read, approved, and Ordered, That the same be transmitted by the Honourable Speaker.

The House proceeded to tax the ingrossed Bill, entitled, An Act concerning the Name of John Beale Bordley.

To the Honourable Speaker	£10..0..0	} £15..0..0
To the Clerk	5..0..0	

An ingrossed Bill, entitled, An Act to enable the Commissioners of the Office of Bills of Credit to purchase Stationary Ware necessary for the Uses of the Upper and Lower Houses of Assembly: Was read, and assented to, and sent to the Upper House, with the Paper Bill, by M.^r Smallwood, and M.^r Key.

J. Ridout, Esq from the Upper House, delivers to M.^r Speaker, the following Message, Viz.^t

p. 486

By the Upper House of Assembly, Dec. 6, 1766.

Gentlemen,

We herewith send you an Address to the Lord Proprietary, drawn in Consequence of your Message, by Mess.^{rs} Grahame, and Earle, and signed by the President of this House.

Signed by Order, U. Scott, Cl. Up. Ho.

And the following Address to the Lord Proprietary, Viz.

To the Right Honourable the Lord Proprietary
The humble Address of the Upper and Lower Houses Assembly.
May it please your Lordship,

It being expedient that some Gentlemen residing in London, should be appointed Trustees for receiving the Dividends on the Stock belonging to this Province in the Bank of England, and for executing certain other Trusts under an Act of Assembly made this Session, entitled, An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned: We have taken the Liberty by the same Act, to put them

under your Lordship's Superintendency and Direction: And, as it is of great Importance to the Welfare of the Province, that the Trust reposed in those Gentlemen should be punctually and faithfully executed, we flatter ourselves that your Lordship will, as you did heretofore, on a similar Occasion, readily comply with our Desire.

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Dec.^r 6, 1766.

Benjamin Tasker, President.
Robert Lloyd, Speaker.

Signed by the President of the Upper House; which was also signed by the Honourable Speaker, and was sent to the Upper House, by Mess.^{rs} Hanson and Grahame.

B Calvert, Esq from the Upper House, delivers to M.^r Speaker, the Paper Bills.

N.^o 24. An Act for amending and repairing the Public Roads in Baltimore County

N.^o 25. An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarantine.

N.^o 26. An Act for the Payment of the Public Claims for emitting Bills of Credit, and for other Purposes therein ment.^d

N.^o 27. An Act to enable the Commissioners of the Paper Office, to send for Paper for the Use of the Upper and Lower Houses of Assembly. Indorsed, severally, By the Upper House of Assembly Dec.^r 6, 1766: The ingrossed Bill whereof this is the Original, is read and assented to.

Ordered, That Lib. C. N.^o 3 a Record Book, in the Land Office, and the Journals of the Lower House of Assembly, from the Year 1692, to the Year 1715, both inclusive, be fairly transcribed into different Record Books: That the same be done by John Duckett, Jun.^r and that he be allowed at the Rate of four Pence per Side, to be paid in Dollars, at 7/6, and for a Book to transcribe the same into.

Ordered, That Col. Lloyd, and M.^r Hanson, do acquaint the Governor, that no Public Business lays now before this House to transact.

B. Calvert, and J. Ridout, Esq.^{rs} from the Upper House, acquaint M.^r Speaker, that the Governor requires the Attendance of the Lower House immediately, in the Upper House.

M.^r Speaker left the Chair, and (attended with the Members of the Lower House) went to the Upper House, and presented to his Excellency the following Ingrossed Bills, Viz.

N.^o 11. An Act for relieving the Inhabitants of this Province from some Aggrievances in Prosecutions of Suits at Law, and continuing the Supplementary Act thereto.

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N.^o 12. An Act to enable the Justices of Charles County Court to assess and levy, on the Taxable Inhabitants of Trinity Parish, a Quantity of Tobacco, for building a Chapel of Ease, in Benedict Hundred, in said Parish, and for other Purposes therein mentioned.

N.^o 13. An Act continuing An Act, entitled, An Act for imposing an additional Duty of two Pounds per Poll on all Negroes imported into this Province.

p. 487 N.^o 14. An Additional Supplementary Act to the Act, entitled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers.

N.^o 15. An Act to ease the Inhabitants of this Province, and to empower the Justices of the several Counties, to bind out the Persons therein mentioned, Apprentices.

N.^o 16. An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

N.^o 17. A Supplementary Act to the Act, entitled, An Act to prevent the Mischiefs arising from the Multiplicity of useless Dogs, and for other Purposes therein mentioned.

N.^o 18. An Act empowering the Justices of Frederick County, to levy on the Taxable Inhabitants, a Quantity of Tobacco, for building a Stone Wall around the Public Prison, in said County, and for other Purposes therein mentioned.

N.^o 19. A Supplementary Act to the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees.

N.^o 20. An Act for the Relief of several languishing Prisoners in the County Goals therein mentioned.

N.^o 21. An Act to aid defective Common Recoveries.

N.^o 22. An Act to remove a Nuisance in Baltimore Town, in Baltimore County, and for other Purposes therein mentioned

N.^o 23. An Act concerning the Name of John Beale Bordley.

N.^o 24. An Act for amending and repairing the Public Roads in Baltimore County.

N.^o 25. An Act to oblige infected Ships, and other Vessels, coming into this Province, to perform Quarantine.

N.^o 26. An Act for the Payment of the Public Claims, for emitting Bills of Credit, and for other Purposes therein mentioned.

N.^o 27. An Act to enable the Commissioners of the Paper Office to send for Paper, for the Use of the Upper and Lower Houses of Assembly.

All which, the Governor passed into Laws, in the usual Manner, and made the following Speech, Viz.^t

Gentlemen of the Upper and Lower Houses of Assembly,

L. H. J.
Liber No. 52
Dec. 6

I have thought fit, with the Advice of his Lordship's Council of State, to prorogue this Assembly to the first Tuesday in May next; and you are to take Notice, that you are prorogued to that Day accordingly.

So endeth this Session of Assembly, this 6.th Day of December 1766.

Test. MMacnemara, Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED IN NOVEMBER–DECEMBER, 1766

Liber H. S. Maryland ss.

No. 1
1766
Nov. 1
p. 613

At a Session of Assembly begun and held at the City of Annapolis on Saturday the first Day of November in the sixteenth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore and so forth Anno Dom̃. 1766 and ending the sixth Day of December following

The following Laws were enacted and assented to by His Excellency Horatio Sharpe Esquire Governor

No. 1
[The Act of
1763, Ch. 18,
Continued
till Dec.
1769]

An Act continuing an Act Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees.

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same. that an Act of Assembly of this Province Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees made at a Session of Assembly begun and held at the City of Annapolis the fourth Day of October Seventeen Hundred and sixty Three be and is hereby continued and shall remain and be in full force untill the Twenty fifth Day of December One Thousand seven hundred and Sixty Nine

13:th Nov. 1766	{ On the Behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law Hor. ^o Sharpe	13:th Nov. 1766
Read and Assented to By the Lower House of Assembly		By the Upper house of Assembly Read and As- sented to
Signed p order M Macnemara Clloho.		Signed by Order U Scott Cl. Up. Ho.

The Great Seal
in Wax Append.^t

No. 2 An Act to Repeal part of an Act Entituled an Act for destroying Crows and Squirrels in particular Counties and of Red Foxes in Kent and Queen Ann's Counties so far as the same extends to Somerset, Dorchester and Worcester Counties

[The Act of
1765, Ch. 36,
Repealed
in Part]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and

the Upper and Lower houses of Assembly and the Authority of the same That part of an Act of Assembly made at a session of Assembly begun and held at the City of Annapolis the first day of November One Thousand seven hundred and sixty Five Entituled an Act for destroying of Crows and Squirrels in particular Counties and of Red Foxes in Kent and Queen Anns Counties which directs that Oath or Affirmation be made that the Squirrels or Crows were killed in the County where the Scalps shall be produced so far as the same extends to Somerset Dorchester and Worcester Counties be and is hereby Repealed Abrogated and made Null and Void

Liber H. S.
No. 1

p. 614

13. th Nov. ^r 1766 read and Assented to by the Lower house of Assembly Signed p Order MMacnemara Cl. Loho.	{	On behalf of the right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor. ^o Sharpe	13. th Nov. ^r 1766 Read and Assented to by the Upper House of Assembly Signed by Order UScott Cl. Up. Ho
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The Great Seal
in Wax Append^t

No. 3 An Act continuing an Act Entituled an Act for the Speedy Recovery of small Debts out of Court before one Justice of the Peace

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entituled an Act for the Speedy Recovery of small Debts out of Court before one Justice of the Peace made at a Session of Assembly begun and held at the City of Annapolis the fourth day of October Seventeen hundred and Sixty three be and is hereby continued and shall remain and be in full fforce for and during the Term of Seven Years and to the End of the next Session of Assembly which shall happen after the End of the said Seven Years

[The Act of
1763, Ch. 21,
Continued
7 years, &c]

14. th Novr 1766 Read and Assented to by the Lower house of Assembly Signed p Order MMacnemara ClLoho.	{	On behalf of the right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor. ^o Sharpe	14. th Nov. ^r 1766 Read and Assented to By the Upper house of Assembly Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Append.^t

No. 4 An Act continuing an Act Entituled an Act for the Gauge of Barrells for Pork, Beef, Pitch, Tarr, Turpentine and Tare of Barrells for Flour and Bread

p. 615

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and

[The Act of
1745, Ch. 15,
Continued
7 years, &c]

Liber H. S. the Upper and Lower Houses of Assembly and the Authority of
 No. 1 the same That an Act of Assembly of this Province entitled an
 Act for the Gauge of Barrells for Pork, Beef, Pitch Tarr, Turpentine
 and Tare of Barrells for Flour and Bread made at a Session of As-
 sembly begun and held at the City of Annapolis on the fifth Day
 of August seventeen Hundred and forty five be and is hereby con-
 tinued and shall remain and be in full Force for and during the
 Term of Seven Years and unto the end of the next Session of As-
 sembly which shall happen after the Expiration of the said Seven
 Years

14. th Nov. ^r 1766 Read and Assented to by the Lower house of Assembly Signed p Order MMacnemara Clloho.	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor. ^o Sharpe	}	14. th Nov. ^r 1766 Read and Assented to By the Upper house of Assembly Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Append^t

No. 5 An Act Continuing an Act entitled an Act to Remedy some Evils
 relating to Servants

[The Act of 1750, Ch. 5, Continued 7 years, &a] Be it Enacted by the Right Honourable the Lord Proprietary by
 and with the Advice and Consent of his Lordships Governor and
 the Upper and Lower Houses of Assembly and the Authority of
 the same That an Act of Assembly of this Province entitled an
 Act to Remedy some Evils relating to Servants made at a Session
 of Assembly begun and held at the City of Annapolis the Eighth
 day of May seventeen hundred and fifty be and is hereby continued
 and shall remain and be in full Force for and During the Term of
 Seven Years next ensuing and unto the end of the next Session of
 Assembly which shall happen after the end of the said Seven Years

14. th Nov. ^r 1766 Read and Assented to by the Lower House of Assembly Signed p Order MMacnemara Clloho.	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor ^o Sharpe	}	14. th Nov. ^r 1766 Read and Assented to by the Upper house of Assembly Signed by Order UScott Cl. Up. Ho.
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The Great Seal
in Wax Append^t

No. 6 An Act continuing an Act entitled a Supplementary Act to the Act
 p. 616 entitled an Act Ascertainig the Heighth of Fences to prevent
 the evil Occasioned by the Multitude of Horses and restraining
 Horse Rangers within this Province and to redress the great Evil

accruing to this Province by the Multiplicity of Useless Horses Mares and Colts that run in the Woods Liber H. S.
No. 1

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled a Supplementary Act to the Act entitled an Act Ascertaining the Height of Fences to prevent the evil Occasioned by the Multitude of Horses and restraining Horse Rangers within this Province and to redress the great evil Accruing to this Province by the Multiplicity of useless Horses and Colts, that run in the Woods made at a Session of Assembly begun and held at the City of Annapolis the Eighth day of May Seventeen hundred and Fifty be and is hereby continued and shall remain and be in full force for and during the Term of Three years next ensuing and to the end of the next Session of Assembly which shall happen after the end of the said Three years [The Act of
1750, Ch.
125, contin-
ued 3 Years,
&c]

14th Nov.^r 1766 Read and Assented to by the Lower house of Assembly Signed p Order M Macnemara Clloho	{ On Behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor^o Sharpe }	14th Nov.^r 1766 read and Assented to by the Upper house of Assembly Signed by Order U Scott Cl. Up. Ho.
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the Great Seal
in Wax Append^t

No. 7 An Act for the Building a Vestry House at Chester Church in Kent County and Inclosing the Church Yard and for other purposes

Whereas the Vestry and Church Wardens of Chester Parish in Kent County and other Inhabitants of the said County have by their Petition to this General Assembly set forth that the said Vestry find there will be an Overplus of the one hundred and Thirty Thousand pounds of Tobacco allowed to build a Church for the said Parish more than will be sufficient to build the said Church and also that it is Necessary to Inclose the Yard of the said Church and to build a sufficient and Convenient Vestry house at the said Parish Church for the benefit and use of the Parishioners and that there will be when Added to the said Overplus more than a Sufficient sum of Tobacco of the savings of the said Chester Parish out of the Thirty Per Poll raised on the Parishioners for the present year by reason of the Vacancy of an Incumbent to inclose the said Church Yard in a proper manner and to build and finish a good and sufficient Vestry house as aforesaid and therefore prayed that an Act of Assembly might pass to appropriate the said Overplus and about Sixteen Thousand pounds of Tobacco of the savings aforesaid to the said uses and Purposes [Preamble]

Liber H. S. Be it therefore Enacted by the Right Honourable the Lord Pro-
 No. 1
 [A Vestry proprietary by and with the Advice and Consent of his Lordships
 House to be Governor and the Upper and Lower houses of Assembly and the
 built at Authority of the same That it shall and may be Lawfull for the
 Chester Vestry aforesaid and they are hereby directed and required in some
 Church] short time after this Session of Assembly to Contract and agree with
 some Proper person or persons for the Erecting building and finish-
 ing a Sufficent and convenient Vestry House at the place aforesaid
 and for Inclosing fencing or Pailing in the Church Yard aforesaid
 to defray the Cost whereof the said Vestry are hereby directed and
 impowered to apply the said Overplus of the one hundred and
 thirty thousand pounds of Tobacco lately allotted and allowed to
 build and Erect the parish Church of the said Chester Parish beyond
 what the said Church will Cost and also Sixteen Thousand pounds
 of Tobacco part of the savings aforesaid of the said Parish for the
 present Year from the thirty Per Poll by Reason of the Vacancy
 of an Incumbent in the said Parish any Law Statute or usage to
 the Contrary notwithstanding

And Whereas by an Act of Assembly Entituled an Act for Erect-
 ing a new parish in Kent County called Chester parish and for
 building a parish Church and Enlarging a Chapel of Ease within
 the said new Parish it was Enacted that it should be Lawfull for
 the Justices of Kent County Court to Assess and Levy on all the
 Taxable Inhabitants of the said County at November Court seven-
 teen hundred and sixty six such á sum of Tobacco as with the
 Ballance then remaining in the hands of the Vestry of Saint Pauls
 Parish unappropriated which had then Arisen on the Vacancy of
 an Incumbent in that Parish wou'd make one hundred Thousand
 Pounds of Tobacco and the further sum of Eighty Thousand
 pounds of Tobacco at the November Court next following to the use
 and purpose of building a Church and enlarging the Chapel in the
 said Chester Parish and the Vestry of the said Chester parish are
 by the said Act impowered to Contract for the building the said
 Church and enlarging the Chapel aforesaid but as the said Vestry of
 Saint Pauls Parish not being by the said Act expressly directed to
 pay the said Ballance remaining in their hands may doubt whether
 they are thereby sufficiently Authorized and Impowered to pay
 the same

[The Vestry Be it therefore hereby Enacted and declared that the said Vestry
 of St. Paul's of Saint Pauls Parish shall and may and are hereby directed and
 to render required to render an Account to the said Vestry of Chester Parish
 Account to of the disposition of the thirty Per Poll of the said Saint Pauls
 the Vestry Parish from the death of the Reverend James Sterling the late
 of Chester Incumbent until November Court seventeen hundred and sixty five
 Parish] and to pay the Just Ballance thereof now in their hands unto the
 p. 618 said Vestry of Chester parish or to their order for the use afore-
 said and if any part of the said thirty Per poll which arose due as

aforesaid shall not be now received by the said Vestry of Saint Pauls Parish of the Sheriff or late Sheriff of Kent County then the said Sheriff and late Sheriff are hereby directed and required to pay such part of the said thirty Per Poll as is now in their or either of their hands to the said Vestry of Chester Parish for the use and purposes aforesaid and to render account to them thereof any thing in any other Law Usage or Custom to the Contrary in any wise notwithstanding

Liber H. S.
No. 1

14.th Nov.^r 1766 Read and Assented to By the Lower house of Assembly Signed p Order MMacnemara Clloho.	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hore Sharpe	14.th Nov.^r 1766 Read and Assented to by the upper house of Assembly Signed by Order UScott Cl. Up. Ho.
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the great Seal
in Wax Append^t

No. 8 An Act to Impower the Justices of Somerset County to Levy on the Taxable Inhabitants of Somerset Parish in the said County the Quantity of one hundred and forty four Thousand pounds of Tobacco for the uses therein mentioned

Whereas the Rector Vestrymen and Sundry the Inhabitants of Somerset Parish in Somerset County have by their humble Petition to this General Assembly set forth that the Chapel of Ease in the said Parish called Kings Mill Chapel is now much decayed and in a little time will be dangerous for the Inhabitants to Attend Divine Service therein and that the same is too small for the reception of the Congregation thereto adjacent and not so well situated as might be and also that Monie Church in the said Parish is too small for the Parishioners that attend at the same and have humbly prayed that an Act may pass to enable the Rector Vestrymen and Church Wardens of the said Parish to sell the Chapel aforesaid and the parcell of land thereto belonging and to purchase a piece of Ground in Princess Anne Town whereon they may erect and Build a Chapel and that Eight hundred pounds or the Value thereof in Tobacco may be Levied on the Taxable Inhabitants of the said Parish to be applied by the said Vestrymen and Church Wardens for that purpose and also that the sum of One hundred pounds or the Value thereof in Tobacco may be Levied in like manner for the enlargement of Monie Church aforesaid and that the same might be Levied by three equal Assessments

p. 619

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Vestry and Church Wardens of the said Parish for the time being or the Major part of them be and are hereby Authorized and impowered to purchase in fee in the name

[A Lot of
Ground in
Princess-
Anne, to be
purchas'd for
building a
Chapel]

Liber H. S. of the Rector Vestrymen and Church Wardens of Somerset Parish
No. 1 for the time being so much Land in Princess Anne Town aforesaid
as by them shall be Judged necessary not Exceeding Two Acres of
Land and to treat and agree with such person or persons as they
shall Judge proper to undertake Erect and build and in a Workman
like manner compleat and Finish on the said Land so to be bought
a Chapel of Ease to the said Parish and the said parcell of Land
when bought and the said Chapel when built shall be and are hereby
declared to be Vested in the said Parish as the Estate and Chapel
of Ease to the said Parish for the Worship and Service of God
in like manner as other Lands and Chapels of Ease thereon Built
in other Parishes are used and enjoyed

[Monie Church to be Enlarg'd] And be it Further Enacted that it shall and may be Lawfull for
the Vestrymen and Church Wardens aforesaid for the time being
or the Major part of them and they are hereby Authorized and
Impowered to Treat and agree with any person or persons that
they shall Judge proper to enlarge the Parish Church at Monie
aforesaid

[King's Mill- Chapel to be sold] And be it further Enacted that the Vestry and Church Wardens
aforesaid for the time being or the Major part of them shall be
and are hereby enabled and impowered to sell and convey in fee
simple the Chapel aforesaid called Kings Mill Chapel and the land
thereto belonging at public Vendue to the highest bidder first giving
notice of the said sale by Advertisements set up at the Doors of the
Court house of the said County and Parish Church aforesaid and
to apply the money produced by such sale towards the purchase
of the land aforesaid in Princess Ann Town and the building
thereon the Chapel aforesaid

[144,000 lb of Tobacco, to be levied in 3 Years, for carrying This Act into Execution] p. 620 And be it further Enacted that the Justices of Somerset County
for the time being shall and they are hereby Authorized and im-
powered to assess on the Taxable Inhabitants of the said parish the
Quantity of one hundred and forty four thousand pounds of Tobacco
by three equal Assessments in the Years of our Lord seventeen
hundred and sixty six seventeen hundred and sixty seven and seven-
teen hundred and sixty eight together with the Sheriffs Salary of
five Per Centum for Collecting the same which said Assessments
so as aforesaid to be made shall be collected and Levied by the
Sheriff of the County aforesaid in the same manner as publick and
County Levies are Collected and Levied and by him to be paid to
the Vestry and Church Wardens aforesaid for the time being who
are hereby Authorized and required to receive and apply the same
to the uses and purposes following that is to say the Quantity of
one hundred and twenty eight thousand pounds of Tobacco part
of the same to and for the use and purpose of purchasing the Parcell
of ground in Princess Anne Town and the building and erecting
thereon the Chapel aforesaid and the remaining Sixteen thousand

pounds of Tobacco to and for the use and purpose of enlarging the parish Church at Monie aforesaid

Liber H. S.
No. 1

Provided always and be it enacted that it shall and may be lawful for the several and respective Inhabitants of the said parish to pay and discharge the said several and respective sums of Tobacco to be levied for the uses aforesaid in Money in the same manner as they now are enabled to pay and discharge the Publick or County Levy any clause matter or thing herein to the Contrary notwithstanding

[Tobacco
may be paid
as Public
Dues]

15.th Nov.^r 1766
Read and Assented to
by the Lower house of
Assembly
Signed p Order
MMacnemara Cl Loho.

{ On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

Nov.^r 15.th 1766
Read and Assented to
By the Upper House of
Assembly
Signed by Order
U^{Sc}ott Cl. Up. Ho.

the great Seal
in Wax Append^t

No. 9 An Act for the Adjournment and Continuance of Frederick County Court

Whereas an Adjournment of Frederick County Court is at this time necessary many of the members of the lower house being absent through sickness and several of the members whose Attendance on their duty here cannot be dispensed with having also necessary Business in the said Court

[Preamble]

Be it therefore Enacted by the right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That all Causes Pleas Process and proceedings either Civil or Criminal now depending in or returnable to the said County Court to be held the third Tuesday of November in this present year shall be and are by Virtue of this Act adjourned and continued from the said third Tuesday in November until the first Tuesday in December next and shall be in the same Plight and Condition as they would be on the said third Tuesday of November any Law usage or Custom to the Contrary notwithstanding

p. 621

[Frederick
County
Court
Adjourn'd]

15.th Nov.^r 1766
Read and Assented to
By the Lower house of
Assembly
Signed p Order
MMacnemara Cl Loho.

{ On Behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

15.th Nov.^r 1766
Read and Assented to
by the upper House of
Assembly
Signed by Order
U^{Sc}ott Cl. Up. Ho.

the great Seal
in Wax Append^t

No. 10 An Act to repeal part of an Act entituled an Act for the Encourage-
 Liber H. S. ment of such Persons as shall undertake to build Water Mills
 No. 1
 [Part of the Be it Enacted by the Right Honourable the Lord Proprietary
 Act of 1704, by and with the Advice and consent of his Lordships Governor
 Ch. 16, and the Upper and Lower Houses of Assembly and the Authority
 Repealed] of the same That the Act Entituled an Act for the Encouragement
 of such persons as will undertake to build Water Mills and every
 clause matter and thing therein contained shall be and do stand
 hereby repealed Except the last enacting clause therein that followeth
 the recital for prevention of the abuse frequently committed by
 persons keeping Water Mills by taking excessive Toll Together
 with the said recital which said recital and enacting clause it is hereby
 declared shall stand in full fforce and Virtue

[Proviso] Provided always that such person and persons as hath or have
 before the first day of this present Session of Assembly taken out
 Obtained or prosecuted any Writ or Writs of ad quod Damnum
 under or by Virtue of the said recited Act shall have the same
 Benefit and advantage under and by Virtue of the said recited Act
 as if this Act were or had not been made any thing herein to the
 Contrary Notwithstanding

15 th Nov. ^r 1766	{ On Behalf of the right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor ^o , Sharpe }	Nov. ^r 15 th 1766
Read and Assented to by the Lower house of Assembly		Read and Assented to by the Upper House of Assembly.
Signed p Order M ^{Macnemara} C ^{ILoho}		Signed by Order U ^{Scott} C ^L U ^p . Ho.

the Great seal
in wax Append^t

No. 11 An Act continuing an Act entituled an Act for relieving the In-
 p. 622 habitants of this Province from some aggrievances in the prose-
 cution of Suits at Law and for continuing the supplementary
 Act thereto

[The Act of Be it Enacted by the right Honourable the Lord Proprietary by
 1714, Ch. 4] and with the advice and consent of his Lordships Governor and the
 Upper and Lower Houses of Assembly and the Authority of the
 same That an Act of Assembly of this Province entituled an Act
 for relieving the Inhabitants of this province from some aggriev-
 ances in the Prosecution of suits at Law made at a Session of As-
 sembly begun and held at the City of Annapolis the Twenty second
 day of June seventeen hundred and fourteen also the Supplementary
 Act thereto made at a Session of Assembly begun and held at the
 City of Annapolis the third day of October seventeen hundred and
 twenty eight be and Are hereby continued and shall remain and
 be in full force for and during the Term of seven years and to the

[And 1728,
 Ch. 24,
 continued 7
 Years, &c]

end of the next Session of Assembly which shall happen after the end of the said seven Years

Liber H. S.
No. 1

21st Nov.^r 1766 Read and Assented to by the Lower house of Assembly Signed p Order M Macnemara C Loho	{	On Behalf of the right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Horo Sharpe	22.^d Nov.^r 1766 Read and Assented to by the Upper House of Assembly. Signed p Order U Scott Cl. Up. Ho.
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the Great seal
in wax append^t

No. 12 An Act to enable the Justices of Charles County Court to Assess and Levy on the Taxable Inhabitants of Trinity Parish a quantity of Tobacco for building a Chapel of Ease in Benedict Hundred in said Parish and for other Purposes therein mentioned

Whereas the Rector Vestrymen Church Wardens and other the principal Inhabitants of Trinity Parish and of Benedict hundred being part of the said Parish in Charles County by their humble Petition to this General Assembly have set forth that the Church of the said Parish being very remote and the distance rendering it inconvenient for the Inhabitants of the said Hundred to attend Divine Worship they therefore humbly pray that an Act may pass to enable the Justices of the said County to Levy on the Taxable Inhabitants of the said Parish the sum of Fifty thousand pounds of Tobacco clear of all deductions and Sheriffs Salary for Collection to be levied at three equal Assessments in order to build a Chapel of Ease on a rising Ground at the west Entrance into Villets old fields near the Main road that leadeth from Bryon Town to Benedict the said situation being Convenient not only for the Inhabitants of Benedict hundred but many others Contiguous thereto in the said Parish which being by this present general Assembly thought reasonable

p. 623

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices of Charles County Court for the time being are hereby Authorized and empowered to Assess and Levy /at November Court Seventeen hundred and sixty seven and so in November Court Yearly untill the Year seventeen hundred and sixty nine inclusive/ at three equal Assessments on the Taxable Inhabitants of Trinity Parish in the said County a Quantity of Tobacco not exceeding fifty Thousand pounds of Tobacco in the whole three Assessments together with the Sheriffs Salary of five per Cent for Collection which said Quantity of Fifty Thousand pounds of Tobacco shall be Collected and levied by the Sheriff of the said County who is hereby Authorized and directed to Collect

[50,000 lb of
Tobacco to
be levied in
Trinity
Parish, at 3
equal Assess-
ments &c]

Liber H. S. No. 1 and levy the same in the same manner that other Parish Assessments are by Law directed to be Levied and Collected and the said Tobacco when Collected according to each years equal Assessment shall be paid to the Vestrymen and Church Wardens of the said parish

And whereas a rising piece of ground at the West entrance into Villets old Fields near the main road that leadeth from Bryon Town to Benedict is represented by the Petitioners to be the most convenient situation for erecting the said Chapel on

[For building a Chapel] Be it Therefore further Enacted by the Authority aforesaid that the Rector Vestrymen and Church Wardens or the Major part of them are hereby Authorized and Impowered to purchase out of the Tobacco hereby Granted One Acre of Land in the said old Fields situate in that place which they may Judge most Convenient for erecting and building the said Chapel upon and which one Acre when purchased shall be and remain to and for the use of the Parish aforesaid for ever

22^d Nov.^r 1766 Read and Assented to By the Lower House of Assembly Signed p Order MMacnemara Cl Loho	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor.^o Sharpe	Nov.^r 22:^d 1766 Read and Assented to by the upper house of Assembly Signed by Order UScott Cl. Up Ho.
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the Great Seal
in wax Append^t

No. 13 An Act Continuing an Act Entituled an Act for Imposing an Addi-
p. 624 tional duty of Two pounds per poll on all Negroes imported into
this Province

[The Act of 1763, Ch. 28, continued 7 Years, &a] Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower houses of Assembly and the Authority of the same That an Act of Assembly of this Province entituled an Act for imposing an additional duty of two pounds per poll on all Negroes Imported into this Province made at a Session of Assembly begun and held at the City of Annapolis the fourth day of October seventeen hundred and sixty three be and is hereby Continued and shall remain and be in full fforce for and during the Term of seven years and to the end of the next Session of Assembly which shall happen after the end of the said seven years

22:^d Nov.^r 1766 Read and Assented to by the Lower House of Assembly Signed p Order MMacnemara Cl Loho.	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor.^o Sharpe	2^d Dec.^r 1766 Read and Assented to by the Upper House of Assembly Signed by Order UScott Cl. Up. H.o
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the Great seal
in wax Append^t

- No. 14 An additional Supplementary Act to the Act Entitled an Act for Liber H. S.
No. 1
 Quietting Possessions Enrolling Conveyances and securing the
 Estates of Purchasers

Whereas the Act entitled an Act for quieting Possessions en- [Preamble]
 rolling Conveyances and securing the Estates of Purchasers in
 Ascertaining a way and method for Conveying of Manors Lands
 Tenements and Hereditaments extends to and regards only such
 Conveyances as Operate by way of Bargain and sale and the good
 ends and purposes of the said Act are now in great measure eluded
 by the frequent use of Conveyances by ffeoffment Lease and
 Release Confirmation Release Limitation and Declaration of uses
 and other modes of Conveying

And Whereas a general registry of all Deeds and Conveyances p. 625
 of land would very much tend to the Security of Creditors and
 purchasers the preservation of titles and thereby to the advancement
 of the Value of real Estates and particularly to prevent abuses and
 deceits by Mortgages and the purchase of pretended Titles

Be it therefore Enacted by the Right Honourable the Lord Pro- [No Estate
of
Inheritance,
or Freehold,
&c. for above
7 years, to
take Effect,
unless Ac-
knowledg'd
in the Pro-
vincial or
County
Courts, &c.]
 prietary by and with the Advice and Consent of his Lordships
 Governor and the upper and Lower Houses of Assembly and the
 Authority of the same that after the first day of May next no
 Estate of Inheritance or Freehold or any Declaration or Limitation
 of use or any Estate for above seven years shall pass or take Effect
 except the Deed or Conveyance by which the same shall be intended
 to pass or take effect shall be Acknowledged in the Provincial Court
 or before one of the Justices thereof in the County Court or before
 two Justices of the same County where the Lands Tenements or
 Hereditaments conveyed by such Deed or Conveyance do lie and be
 also enrolled in the Records of the same County or the Provincial
 Court as the case may be within six Months after the date of such
 Deed or Conveyance And for the taking which Acknowledgment [and re-
corded in 6
months]
 there shall be paid to the party or parties taking the same the sum
 of one shilling and no more and the Clerk of the Provincial or
 County Court shall immediately upon the receipt of such Deed or
 Conveyance endorse thereon the time of his receiving the same and
 shall well and truly in a fair full and legible hand writing enroll
 such Deed or Conveyance in a good sufficient Book in folio to be
 regularly alphabettied in the names of all and every of the parties
 to the same and the name of the Land and quantity of Acres which
 Book shall remain in the Custody of the said Clerk of the said Pro-
 vincial or County Court and the Clerk aforesaid shall on the back
 of every such Deed or Conveyance in a full legible hand make a
 Certificate of such enrollment and the time of making it and also of
 the folio of the Book in which the same shall be enrolled and shall
 to such Certificate set his hand [Magis-
trate's Fee
The Clerk's
Duty.]

Liber H. S.
No. 1
[Provision
where the
Grantors, &c
live out of
the County
where the
Lands lie.
Deeds may
be ac-
knowledg'd
in the
County, and
Certified to
the proper
Court]

Provided allways and be it Enacted that when the person or persons making any Deed or Conveyance for conveying or declaring or Limitting any use in or for any Lands Tenements or Hereditaments shall live remote from the Provincial Court or out of the County where the Lands Tenements or Hereditaments lie it shall and may be lawfull for such person or persons to Acknowledge the same in the County Court of the said County or before two Justices of the said County wherein he she or they shall reside and a certificate of such Acknowledgment under the hand of the County Clerk and under the seal of the same County being endorsed thereon that the said Acknowledgment was made in open Court, if made in Court, or if before two Justices that they were at the time of making the said Acknowledgment Justices of the said Court duly Commissioned and Sworn such Deed or Conveyance shall be taken deemed and reputed and shall be as good and valid as if the same had been Acknowledged in manner first herein mentioned and such Certificate

p. 626

[Grantor, if
a non-Resi-
dent, may
acknowledge
by At-
torney]

shall be a Sufficient Warrant for the Clerk of such County where the Lands Tenements and hereditaments aforesaid do lie to enroll such Deed or Conveyance and the Endorsements thereon And if any person or persons Conveying Limitting or declaring as aforesaid shall not be a resident of this Province at the time of the Execution of such Deed or Conveyance so as the same cannot be Acknowledged as is before directed or enrolled within the time for that purpose herein before Limited then and in every such case the Deed or Conveyance shall be Acknowledged by letter of Attorney well and sufficiently proved either in the Provincial Court or County Court where the Land intended to be Conveyed or the use thereof limited or declared doth lie or before one Justice of the Provincial or Two Justices of the County Court as aforesaid and be enrolled as aforesaid within Six Months from the time of such Acknowledgment any thing herein contained to the Contrary Notwithstanding

[Deeds of
Sale to take
Effect from
the Day of
the Date
thereof]

And be it further Enacted by the Authority aforesaid that every such writing to be Acknowledged and enrolled as aforesaid and every Deed of Bargain and Sale of any Lands Tenements or Hereditaments whatsoever hereafter to be made executed Acknowledged and Enrolled shall have relation as to the passing and conveying the premises and the Estate thereby intended to be passed or conveyed by and from the day of the date thereof any thing contained in this present Act or any other Act or Acts to the Contrary Notwithstanding

[Proviso for
Femme
Covert]

And be it further Enacted that any Fem[m]e Covert not being a Minor Joining with her husband in any of the Severall kinds of Conveyances herein before mentioned and Acknowledging them or any of them upon private examination according to the directions of the said recited Act where such Fem[m]es Covert have the right title or Interest of the Lands Tenements or Hereditaments or any

[How to be
Examined]

part thereof by such Conveyances intended to be given granted released Surrendered declared Settled or otherwise disposed of shall by such execution of the said Conveyance or Conveyances examination Acknowledgment and enrollment be barred and foreclosed to all intents and purposes whatsoever and that such examination and Acknowledgment and enrollment without her joining in the said Deed or Conveyance shall be good and sufficient to barr any Feme Covert of her Right of Dower

Liber H. S.
No. 1

[Barred of
Dower]

Provided that such Feme Covert in both cases be at the time of such execution examination and Acknowledgment of the full age of Twenty one years of Sound mind and out of prison and where any such Feme Covert shall live out of this Province within any of his Majesty's Dominions such Examination and Acknowledgment as aforesaid taken before the Mayor of some Corporation within Great Britain or Ireland or other of his Majestys European Islands or before one Justice of the Supreme or Provisional Court of any Province or Colony or Governor or Chief Officer within any of his Majestys Dominions and certified by Indorsement on the Deed or conveyance by such Mayor or Justice under his hand and Seal of the Corporation when taken before a Mayor or the seal of the Province or Colony Governor or Chief Officer when taken before such Justice Governor or Chief Officer shall be as good and effectual in Law for barring such Feme Covert of her Right of Dower or Inheritance as the case may be as if the same examination and acknowledgment were taken and certified within this Province According to the directions of the said recited Act any thing therein or in any other Act Law Usage or Custom to the Contrary Notwithstanding

[Femme
Covert Non-
Resident,
how her
Examination
and Ac-
knowledge-
ment is to be
taken and
Certified]
p. 627

25th Nov.^r 1766
Read and Assented to
by the Lower house of
Assembly
Signed p Order
MMacnemara ClLo ho.

{ On Behalf of the right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe }

2^d Dec.^r 1766
Read and Assented to
by the Upper house of
Assembly
Signed by Order
UScott Cl. Up. Ho.

the great seal
in Wax Append^t

No. 15 An Act to Ease the Inhabitants of this Province and to Impower the Justices of the several Counties to bind out the persons therein mentioned Apprentices

Whereas there is no Provision made by the Laws now in being for the binding out Children apprentices where their Fathers have departed this Province or removed from the Counties where they resided without Leaving a Sufficiency for such Childrens Support nor is there any express Provision made for binding out poor Orphan Children before the Ballances of their Fathers Estate are Transmitted to the County Court which in many cases never happens

[Preamble]

Liber H. S. nor can be done in most Instances till a considerable time after their
No. 1 becoming Orphans by which the Counties are greatly burthened for
the Support of such Children and those Children themselves are not
so much benefited as they wou'd be by being bound out Apprentices

[Magistrates to bind out Orphans] Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Justices of the Several and respective County Courts within this Province shall and may bind out every Orphan Child not having or being intituled to a Real or personal

p. 628 Estate the profits or increase whereof is or are sufficient for his or her Maintainance support and education, as an Apprentice to some Mariner Handicraft Tradesman or other person /being a Protestant/ at the discretion of the said Justices until such Orphan Child if a

[t'il 21, or 16 years of Age] Male shall arrive to twenty one years of Age or if a Female to Sixteen years of Age or day of Marriage which shall first happen in the same manner and upon and under the same Terms Conditions and restrictions as the said County Courts are impowered by any Act of Assembly in such case made and Provided to bind out Orphans as Apprentices where the Balances of their Fathers Estates are Transmitted to such Courts

[Also Children left by their Father, &c] And be it Further Enacted that the said Justices shall and may upon any Application to them in their respective County Courts, aforesaid for any Allowance for the Support or Maintainance of any Child whose Father hath departed from this Province or removed from the County where he resided without leaving a sufficiency for the Support of his Children, bind out such Child as an Apprentice in the manner aforesaid to any such person for the time and under the Terms Conditions and Restrictions aforesaid. And to the end that Apprentices bound out by virtue of this Act may be Taught their Trades and may not be Rigorously used or Turned to common Labour at the Ax or Hoe.

[Orphan Juries to enquire as to their Usage] Be it Enacted by the Authority aforesaid by and with the Advice and Consent aforesaid That the several and respective County Courts and Orphan Juries shall and they are hereby required to give in charge Hear Judge Order Determine and enquire of and concerning apprentices bound out by Virtue of this Act and their Masters in the same manner as they are impowered and required to do by any Act of Assembly heretofore made and now in fforce

[The mother, if Living, to be summoned] And be it Further Enacted that no Child having a Mother living in the same County shall be bound out Apprentice by Virtue of this or any other Act of Assembly of this Province unless such Mother shall be at the time of such binding out her Child Apprentice present in Court or hath been Summoned to attend such Court on such Occasion or a summons for that Purpose against her hath been returned

Non Est and if the Mother shall appear in Court and offer sufficient Security for the Maintenance of her Child or if any person on her behalf shall in Court offer such sufficient Security then and in such case the Court shall not have power to bind out such Child Apprentice but shall take such Security for his or her Maintenance, And if any matter of Dispute Arises between Apprentice bound out by Virtue of this Act and their Masters or Mistresses it shall and may be Lawfull for the several and respective County Courts of this Province to hear and determine the same by way of Petition and to give Judgment and to award execution upon the same and that upon appeal or Writ of Error brought upon such Judgment from any County Court of this Province to the Provincial court or from the Provincial Court to the Governor and Council no such Judgment shall be reversed for want of Judicial Process or that the same was not Tried by a Jury or any matter of Form either in the entry or giving Judgment

Liber H. S.
No. 1
[not to be
Bound if
Security be
given for
their main-
tenance]
[If Dis-
putes arise,
how to be
determined]
p. 629

Provided that it appears by the Record that the Defendant was Legally Summoned and not Condemned unheard

And be it Further Enacted by the Authority Advice and Consent aforesaid that if the Father of any such apprentice shall return back into the County from whence he removed and shall make it appear to the Satisfaction of the County Court who shall have bound out his Child as aforesaid that he is able to keep his Child or Children from becoming a burthen to the County and to make the Master or Mistress of such Apprentice Sufficient Satisfaction for his or her time Care and trouble in Maintaining Educating and Teaching such Apprentice it shall and may be Lawfull and the said County Courts are hereby Directed and required to Issue a Summons for the Master or Mistress of such apprentice and on his or her appearing or refusing to appear they shall Value Estimate and determine what sum of Money or other Consideration shall be paid or made by the Father to the Master or Mistress of such Apprentice and on the payment or Tender in Court of such sum of Money or other Consideration the said County Courts are hereby impowered and required to discharge such Apprentice from any further Service

[After Bind-
ing, if the
Father re-
turn, and
give Security
&c]

[The Court
may Dis-
charge, &c]

Provided Allways And be it Further Enacted that no Act of Assembly of this Province shall be Construed to give any Court a power to bind any Female Child longer than such Female shall Arrive to the Age of Sixteen Years or day of Marriage which shall first happen nor shall any Female Child be bound out where any Kinsman or other relation will maintain and Educate her without Diminution of the Estate to which such Female Child may be intitled Any thing in this or any other Act to the Contrary Notwithstanding

[No Female
to be bound
longer than
till 16, or
Day of
Marriage]

This Act to Continue Three Years and to the end of the next

[Continu-
ance]

Liber H. S. Session of Assembly which shall happen after the end of the said
 No. 1 Three Years

28th Nov. ^r 1766 Read and Assented to by the Lower House of Assembly Signed p Order MMacnemara CLo ho.	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor. ^o Sharpe	}	2. ^d Dec. ^r 1766 Read and Assented to by the Upper House of Assembly Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Append^d

No. 16 An Act for the Speedy and Effectual Publication of the Laws of
 p. 630 this Province and for the Encouragement of Jonas Green of the
 City of Annapolis Printer

[Allowance
in Tobacco
to J. Green]

Be it Enacted by the Right Honourable the Lord Proprietary
 by and with the Advice and Consent of his Lordships Governor
 and the Upper and Lower Houses of Assembly and the Authority
 of the same That there shall be Allowed to Jonas Green of the City of
 Annapolis Printer the several and respective sums of Tobacco in the

[in the
several
counties]

Severall Counties within this Province following to wit In Baltimore
 County Five Thousand one hundred and sixty Ann Arundel County
 Four Thousand three hundred and eighty six, Charles County four
 Thousand and forty two, Prince Georges County three thousand nine
 hundred and fifty six, Frederick County three thousand five hundred
 and twenty six, Queen Ann's County three thousand four hundred
 and Eighty three Saint Mary's County three thousand three hundred
 and fifty four, Dorchester County three thousand one hundred and
 eighty two, Kent County three thousand one hundred and thirty nine,
 Talbot County three Thousand and fifty three Somerset County
 Three thousand and ten, Worcester County two thousand eight
 hundred and eighty one, Cæcil County two thousand eight hundred
 and thirty eight and Calvert County Nineteen hundred and Ninety
 which said respective sums of Tobacco the Justices of the several
 County Courts within this Province are hereby impowered and
 required to allow and Assess in their respective County Levies
 annually during the Continuance of this Act together with the
 Sheriffs Salary of five pounds per Cent for Collecting the same
 and the several sums of tobacco so to be Allowed and Assessed as
 aforesaid shall be Collected by the Sheriff of Each respective County
 and yearly paid by them respectively free from any Abatement or
 Deduction to the said Jonas Green or his order for printing Stitch-
 ing Covering with Marble or blue paper and delivering a Copy of the
 Public Laws made this present Session of Assembly by the first day
 of May in the Year One thousand seven hundred and sixty seven
 and the Votes and Proceedings of the Lower House of Assembly
 of this present Session by the tenth day of May in the Year of

[His duty
for such
allowance]

our Lord seventeen hundred and sixty seven and also a Copy of the Laws of any future Session within three Months and of the Votes and Proceedings of the Lower House of Assembly within four Months respectively after the end of every such Session during the Continuance of this Act to the Governor and each Member of the Upper and Lower Houses of Assembly, and one Book of the Votes and Proceedings to the Clerk of each House and three Books of the Votes and Proceedings aforesaid to the Clerks of the Several and respective County Courts for the Perusal of the Inhabitants of the several and respective Counties and a Copy of the Public Laws during the Continuance of this Act to every Provincial and County Magistrate and a Copy of each Law bound up in Leather to each House of Assembly, the High Court of Appeals, the Provincial Court and to each County Court within this Province unless he shall be hindered by the Death of his hands employed in the Press or by Sickness or the unavoidable accident of his Press breaking

Liber H. S.
No. 1

p. 631

And be it Likewise Enacted that if it should happen that in any Year during the Continuance of this Act there should not be any Session of Assembly held within this Province whereby the said Jonas Green may be enabled to print Laws and deliver them within such year that then and in such case there shall be Allowed to the said Jonas Green the several and respective sums of Tobacco in the several Counties within this Province following to wit. In Baltimore County four thousand one hundred and seventy Annarundel County three thousand four hundred and forty Charles County three thousand one hundred and eighty, Prince Georges County three thousand and ninety six Frederick County two thousand seven hundred and Ninety five, Queen Ann's County two thousand seven hundred and six, Saint Mary's County Two thousand four hundred and ninety four Dorchester County two thousand four hundred and eight Kent County two thousand three hundred and sixty five, Talbot County two thousand one hundred and fifty Somerset County two thousand and twenty, Worcester County Nineteen hundred and thirty five Cecil County eighteen hundred and ninety and Calvert County fourteen hundred and sixty which said respective sums of Tobacco last aforementioned together with the Sheriffs Salary of five pounds per Cent for Collecting the same the said Justices of the several County Courts within this Province are hereby impowered and required to allow and Assess in their respective County Levy and shall be by the respective Sheriffs collected and yearly paid to the said Jonas Green in manner and form aforesaid for his better support and Encouragement in serving this Province and residing within the same

[His Allow-
ance in case
of no
Session]

Provided allways and be it hereby Enacted that it shall and may be Lawfull for the Taxable Inhabitants of this Province upon

[May be
paid in
Money]

Liber H. S.
No. 1

whom the above sums of Tobacco shall be Assessed to discharge and pay the same in Gold and Silver at the same Rates as by the Act entitled an Act for amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers fees made at a Session of Assembly begun and held at the City of Annapolis the fourth day of October in the Year of our Lord one thousand seven hundred and sixty three Gold and Silver is directed to be received in all payments made in Virtue of that Act Provided always that the said Jonas Green shall Actually reside at Annapolis during the Continuance of this Act and comply with the Terms thereof and that upon the Death of the said Jonas Green or his removal from Annapolis or ceasing to comply with the Terms of this Act on his part the payment of the sums of Money herein before directed to be paid to him shall Cease any thing Contained in this Act to the Contrary Notwithstanding

[Proviso, in
case of his
Removal]

p. 632

[The Laws
to have
marginal
notes]

And be it Likewise Enacted that the Copy of the Public Laws made this present Session of Assembly as well as those made at any future Session during the Continuance of this Act shall have marginal notes made and printed thereto as also the date of the Year wherein such Laws were respectively made inserted in each page and a list of such Laws made at the end of each Session with the page wherein they are printed all which the said Jonas Green is hereby required and obliged to do as well as all other Services herein before mentioned for the Yearly Salary aforesaid

[Proviso, in
case of his
Failure of
Duty]

Provided allways that it shall and may be lawfull for the Sheriffs of the several and respective Counties respectively and they are hereby required not to pay to the said Jonas Green the said respective sums of Money herein before mentioned or any part thereof to be Assessed and levied for his use for his Salary for this present or any future year during the Continuance of this Act unless it shall be made appear to them by a Certificate or receipt from the Sheriff of Annarundel County for the time being that the public Laws and the Votes and proceedings of this Session and every future Session or Convention during the Continuance of this Act were printed and Delivered to him within the respective times herein before directed any thing herein before contained to the Contrary in any wise Notwithstanding

[Laws and
notes to be
forwarded
as Public
Letters]

And be it Further Enacted that the several and respective Sheriffs within this Province shall and they are hereby directed and required to receive and forward the said Laws with the Votes and Proceedings aforesaid to the Clerks of the several County Courts and Members of each House of Assembly as Public Letters are by the Laws of this Province directed to be forwarded and under the like Penalty to be recovered and Applied in like manner

This Act to continue till the Twenty fifth day of December Seven-
teen hundred and Sixty Seven

Liber H. S.
No. 1
[Duration]

28th Nov.^r 1766 Read and Assented to by the Lower House of Assembly Signed p Order M^{Macnemara} C^{ILoho}.	}	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor.^o Sharpe	2^d Dec.^r 1766 Read and Assented to by the Upper House of Assembly Signed by Order U^{Scott} C^L Up Ho.
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the great Seal
in Wax Append^t

No. 17 A Supplementary Act to the Act entituled an Act to prevent the
Mischiefs Arising from the Multiplicity of Useless Dogs and
other purposes therein Mentioned

p. 633

Whereas it is represented that to people living in the Country
and having Families two Dogs at least about one Plantation are
on many Occasions usefull and Necessary and that therefore it is
reasonable to allow such people Two dogs to be kept Tax free and it
is also found that the Tax laid by the Act to prevent the Mischiefs
arising from the Multiplicity of Useless Dogs and other purposes
therein mentioned on Supernumerary Dogs is not large enough to
answer the good end designed of reducing them

[Preamble]

Be it therefore Enacted by the Right Honourable the Lord Pro-
prietary by and with the Advice and consent of his Lordships Gov-
ernor and the Upper and Lower Houses of Assembly and the
Authority of the same that during the Continuance of the said
recited Act every Master Mistress or head of a Family not living
within any City or Town within this Province shall be Allowed to
own and keep two Dogs such as the said Act describes at any one
plantation Tax free and that for every other Dog so owned or kept
by any Master or Mistress or head of a Family not being within any
City or Town as aforesaid and also for every Dog more than one so
Owned or kept by any Master Mistress or head of a Family living
within any City or Town and for every Dog so owned or kept by
any single person not being a Freeholder or having or keeping a
Family there shall be paid yearly and every Year Five shillings in
Lieu and stead of the one shilling directed to be paid by the said
recited Act, The said five shillings p Dog so to be paid to be Levied
Collected and Applied in the same manner and to the same uses and
purposes as the said one shilling p Dog was by the said recited Act
directed any thing in the said recited Act or any other Law usage
or Custom to the Contrary Notwithstanding

[Heads of
Families in
the Country
may keep
two Dogs
Tax-free,
&c. In a
Town, One.]

[Other Dogs
to be taxed
Five Shil-
lings]

And be it Further Enacted by the Authority aforesaid that it shall
be the duty of the Constables and they are hereby directed and
required instead of taking and returning an Account of the Number
of dogs more than one owned or kept by any Master Mistress or head

[Direction
to Con-
stables in
taking in the
Dog-Tax]

Liber H. S. No. 1 of a Family in their respective hundreds to return only the Number of dogs more than two that shall be owned and kept by any Master Mistress or head of a Family at any one Plantation in their respective hundreds and not of such Families as are within any City or Town within this Province the said Recited Act to the Contrary Notwithstanding

[Fox-Hounds may be kept free from Tax] And Whereas it is represented that the keeping of Fox Hounds for destroying of Foxes is usefull and Necessary and that therefore they should be Allowed to be kept Tax free Provided the Owners will keep them either Coupled or kennelled and not suffer them to go loose and at Large

Be it therefore Enacted that notwithstanding any thing in the before recited Act or this Act to the Contrary real Fox hounds shall be hereafter exempt from Tax and it shall not be the duty of the Owners to give them in or of the Constable to return them

[In case of Fox-Hounds running at large, except &c] And be it further Enacted that if any such Fox hound shall be found uncoupled and runing at large out of the Limits of the Land of the owner of such hound unless when the Owner or some other person by his permission is hunting with them such owner shall forfeit and pay Two shillings and six pence for every such Offence to be recovered before a single Justice of the peace by Warrant with Cost the said Forfeiture to be paid to the Justice before whom it is recovered and by him paid to the Sheriff of the County for the same use as the Taxes raised by this and the before recited Act are Applied

[Hounds doing Damage, may be killed and the Owner to pay Damages] And be it also Enacted that if any such Fox hound so as aforesaid runing at large shall kill or hurt any Sheep or shall be found killing or Worring runing after and pursuing any Sheep hogs or other Stock such hound may be immediately killed with Impunity and the Owner of such hound shall be liable to an Action by the party Grieved to recover his damages against such Owner for such Injury done and full Costs of suit

[Single Freeholders allow'd One Dog] And be it Further Enacted that every single person of the Age of Twenty one years being a Freeholder and not having or keeping a family shall be Allowed to keep one Dog Tax free any thing in the aforesaid recited Act to the Contrary Notwithstanding This Act to Continue and be in force for and during the Continuance of the

[Duration] before recited Act and no longer

2.^d Dec.^r 1766
Read and Assented to
by the Lower House of
Assembly

Signed p Order
M^{Macnemara} C^{ILoho}.

{ On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe }

2.^d Dec.^r 1766
Read and Assented to
by the Upper House of
Assembly

Signed by Order
U^{Scott} C^L. U^p. Ho.

the great Seal
in Wax Append.^t

- No. 18 An Act Impowering the Justices of Frederick County to Levy on the Taxable Inhabitants of said County a Quantity of Tobacco for Building a Stone Wall around the Public Prison in said County and for other purposes therein mentioned

Liber H. S.
No. 1
p. 635

Whereas it is represented to this present General Assembly that the Public Prison in Frederick County is at present very insecure and that frequent Escapes happen which might be prevented by building a stone wall quite round the said Prison and a house at the Gate thereof for the Goaler to Live in and that such yard would contribute much to the Health of the Prisoners

[Preamble]

Be it therefore Enacted By the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That it shall and may be Lawfull and the Justices of Frederick County are hereby Authorized impowered and required at November Adjourned Court to Levy on the Taxable Inhabitants of the said County a Quantity not exceeding Thirty thousand pounds of Tobacco exclusive of the Sheriffs Salary of five p Centum for Collecting the same to be paid in such manner as other publick and County Levies are now paid and discharged for the building and compleating a good and Sufficient Stone Wall around the said Prison and a house at the gate thereof for the Goaler to live in of such dimensions as the said Justices shall in Court direct And the said Justices are by this Act also impowered and required at March or June Court next to Contract with some proper person or persons for the undertaking and performing the work aforesaid and to take a bond from such Contractor or undertaker with good Security in a Sufficient penalty at the discretion of the said Justices payable to the right Honourable the Lord Proprietary Conditioned for the well and Sufficient Compleating and finishing the said Work as aforesaid

[30,000 lb of Tobacco to be levied in Frederick County, for Building a wall, and a Jailers House]

[The Justices to agree for the same]

4th Dec.^r 1766
Read and Assented to
by the Lower House of
Assembly
Signed p Order
MMacnemara ClLoho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

4th Dec.^r 1766
Read and Assented to
by the Upper House of
Assembly
Signed by Order
UScott Cl. Up. Ho.

the Great Seal
in Wax Append

- No. 19 A Supplementary Act to the Act Entituled an Act for Amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limitation of Officers Fees

p. 636

It being represented to this General Assembly that the Continuance of the Ware house at John Hollands at Bohemia Ferry in Cecil County at Annapolis and Spriggs Point in Ann Arundel County and

[Preamble]

Liber H. S. at the fork of Gunpowder in Baltimore County is not necessary or
No. 1 useful to the People

[Four Ware-
houses Sup-
press'd]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same That the Warehouses aforesaid at John Hollands at Bohemia Ferry in Cecil County at Annapolis and Sprigg's point in Ann Arundel County and at the fork of Gunpowder in Baltimore County shall be and they are hereby Suppressed to all Intents and purposes and that the Inspector or Inspectors if any appointed to Attend the said Warehouses respectively are discharged from his or their Attendance thereon to every purpose but to deliver out such Tobacco as may now be in the said Warehouses or either of them but that the Inspectors at pig point warehouse shall have the same Salary for that Warehouse as if they still Attended Sprigg's point warehouse also and that the Inspectors at Joppa Warehouse shall have the same Salary for that Warehouse as if they Attended at the fork Warehouse also

[Respecting
some of the
Inspectors
Salaries]

[Sundry
Warehouses,
who had
Two In-
spectors, to
have but
One for the
future]

And whereas it is thought as safe and more easy to the people that several Warehouses which by the said recited Act are under the care of two Inspectors should hereafter have but one Inspector at each house

Be it Enacted that at the next return of Inspectors by the Vestrys and always afterwards during the Continuance of the above recited Act the Vestry of Chester Parish in Kent County shall return but two Inspectors for the Warehouse on Warton Creek in the said County one of which only shall serve at the said Ware house and shall be paid the Salary of Four thousand eight hundred pounds of Tobacco and the Vestry of Saint Lukes Parish in Queen Anns County shall return but two Inspectors for Wells's Warehouse in the said County one of which only shall serve for the said Warehouse and shall be Obligated to Attend on the Mondays and Tuesdays in each Week only except particularly required and be paid the Salary of Four Thousand eight hundred pounds of Tobacco and that the several Vestries who by the said recited Act are to return

[Salaries]

p. 637

Inspectors for the Ware houses at Kings Town, Parsons Landing, Emersons Landing, Bruffs landing at Sheerwoods Landing upon Broad Creek, and at Oxford in Talbot County shall return but two Inspectors for each of the said Warehouses one of which only shall serve at the said Ware houses and be paid the Salaries hereafter mentioned To the Inspector of Kings Town Warehouse Six Thousand four Hundred pounds of Tobacco To the Inspector at Parsons Landing Six thousand four Hundred pounds of Tobacco To the Inspector at Emersons Landing Warehouse Nine thousand six hundred pounds of Tobacco To the Inspector at Bruff's Landing Warehouse Seven thousand two hundred pounds of Tobacco To the

Inspector at Sherwoods Landing Ware house on Broad Creek Six Thousand four hundred pounds of Tobacco and to the Inspector at Oxford Warehouse Eight Thousand pounds of Tobacco

Liber H. S.
No. 1

And be it Enacted that in case of the Sickness or other Inability of any one of the said Inspectors to Attend his Duty it shall and may be Lawfull for him and he is hereby required to Nominate and appoint one other person being a planter and well skilled in Tobacco to Act in his room during the time the said Inspector shall be unable to Attend, the said person so Appointed, first taking the Oath of Office and other Oaths or Affirmation if a Quaker as are directed by the above recited Act to be taken by Inspectors and Subscribing the Oath of Abjuration and repeating and Subscribing the Test and the said Inspector and his Sureties shall be answerable for the Tobacco Inspected and passed by the person so by him appointed in the same manner as if he had personally officiated

[In case of an Inspector's Sickness, &c. he is to appoint, &c.]

And whereas it has been represented to this General Assembly that the Salaries allowed by the above recited Act to the Inspectors at Pomunkey and Chickamuxon Warehouses in Charles County and at the Ware houses at Wiccocomico and on Gilbert Mackeys Plantation in Saint Marys County and at Elk Ridge landing and Indian Landing in Ann Arundel County are too small and inadequate to their Care and Trouble in their Office of Inspectors

[Some Inspectors Salaries raised]

Be it Enacted by the Authority Advice and Consent aforesaid that for this present year and for every future year during the Continuance of the above recited Act there shall be Allowed and paid to each of the Inspectors at the Ware houses aforesaid the sum of Eight hundred pounds of Tobacco over and above the Salaries allowed to them by the Act aforesaid which said sum of Eight hundred pounds of Tobacco to each of the Inspectors at Pomunkey and Chickamuxon and at Wiccocomico and on Gilbert Mackeys Plantation and at Elk Ridge Landing and Indian Landing Warehouses aforesaid shall be Allowed and paid in the same manner as Inspectors Salaries are allowed and paid by the said Act

And it is further represented to this General Assembly that the Salary allowed by the above recited Act to the Inspector at Newport Warehouse in Worcestor County is too large for the Quantity of Tobacco that comes to the said Ware house

p. 638
[Inspector's Salary at New-Port lessen'd]

Be it Enacted by the Authority Advice and Consent aforesaid that there shall be allowed and paid to the Inspector at Newport Warehouse who shall be Obligated to Attend the Mondays and Tuesdays in each Week and oftner if required the sum of Three thousand two hundred pounds of Tobacco in full for his Salary as Inspector at said Warehouse which sum of Tobacco shall be allowed and paid as other Inspectors Salaries are in the aforesaid Act any thing therein Contained to the Contrary Notwithstanding

Liber H. S. And be it Further Enacted that in case the Inspector already
 No. 1 nominated and recommended by the Vestrie shall refuse to serve as
 [If he re- Inspector at the above mentioned Warehouse it shall and may be
 fuses to Lawfull for the person so refusing to Signify the same under his
 Continue, hand to the Vestry of the said parish where the refusal shall be or
 another to be Chosen] any two of the Vestrymen within Ten days after the end of this
 Session of Assembly who shall within ten days after such Notice
 given them proceed to chuse other Inspectors to serve at the said
 Warehouse in manner and form as is directed by the aforesaid
 recited Act in the place and stead of such person so refusing as
 aforesaid

[Penalty for And Whereas it is represented to this present General Assembly
 carrying that it has been the practice of some planters after their Tobacco
 Tobacco has been carried to the Warehouses to be Inspected and the In-
 away from spectors have examined and refused to pass the same to carry such
 any Ware- their Tobacco away from the said Warehouses either Secretly or
 house, after it has been by force to some other Warehouses to get it passed and no penalty is
 refus'd by the by Law imposed on such Offenders
 Inspector]

Be it therefore Enacted that if any person or persons shall bring
 any Hogshead or Number of Hogsheads of Tobacco to any of the
 Warehouses appointed by Law to receive the same and shall offer
 them or any of them to the Inspector to be by him received and
 Inspected and the said Inspector shall refuse to pass them or any
 of them and the Owner or Owners of the said Tobacco or some
 other person or persons by his her or their Privy or Procurement
 shall either secretly or openly carry the said Tobacco or any part
 thereof away from the said Warehouse before the same has been
 viewed and passed According to Law the said Owner or Owners
 shall forfeit and pay the Quantity of Sixteen hundred pounds of
 Tobacco for every Hogshead of Tobacco so carried away to be
 recovered and applied as by the Act Entituled an Act for amending
 the Staple of Tobacco for preventing frauds in his Majestys Customs
 and for the Limitation of Officers fees is directed

p. 639

[Frederick And Whereas by the said recited Act the Ware houses at Fred-
 and George- erick Town in Cecil County and at George Town in Kent County
 Town Ware- were put under one Inspection by Two Inspectors one out of each
 houses made Parish in which the houses respectively stand and as much more
 Two In- Tobacco is brought to one than the other it is found desirable to
 spections] put the said Ware houses under separate Inspectors with only one
 Inspector at each House

Be it therefore Enacted that upon the next election of Inspectors
 for the said Two Warehouses the Vestry of Saint Stephens Parish
 in Cecil County shall return Two Inspectors one of which only shall
 serve at Frederick Town Warehouse Singly and the Vestry of
 Shrewsbury parish shall return two Inspectors for George Town
 Ware house one of which only shall serve at the said house singly

And the Inspector that shall serve at Frederick Town shall be paid the Salary of Seven thousand two hundred pounds of Tobacco and the Inspector that shall serve at George Town Warehouse shall be paid the Salary of four thousand eight hundred pounds of Tobacco and no more any thing in the before recited Act to the Contrary Notwithstanding

Liber H. S.
No. 1
[Inspector's
Salaries]

And be it Further Enacted that in any case whereby this Act the houses are put under the care of one Inspector instead of two, if both Inspectors that served the then last year shall be returned by the Vestry the one shall serve which the Governor or Commander in Chief shall by warrant under his hand appoint, any thing in the before recited Act to the Contrary Notwithstanding

[In case
where In-
spections are
put under
one, instead
of Two
Inspectors]

This Act to Continue for and during the Continuance of the before recited Act and no Longer

[Duration]

5:th Dec.r 1766	{ On behalf of the right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor., ^o Sharpe }	Dec.r 6:th 1766
Read and Assented to by the Lower House of Assembly		Read and Assented to by the Upper House of Assembly
Signed p Order M ^{ac} nemara C ^l Loho.		Signed by Order U ^s cott C ^l . Up. Ho.

the Great Seal
in Wax Append.^t

No. 20 An Act for the Relief of Certain Languishing Prisoners in the several Goals therein mentioned p. 640

Whereas Jonathan Hollings, William Lancaster William Cuning, William Gudgeon, Samuel Roberts, William Douglass, John Mc'Cay, William Murds and Moses Frampton of Cecil County, Lambert Wilson, Daniel Norris, James Thompson, James Jackson, Thomas Knock, Murten Mellan, Edward Mc'Cann and William Lovegrove of Kent County James Barron of Talbot County, Anthony Dunlevey, James Clarkson, David Clark, Clement Woodward, John Messick, M^{ck}iel Howell, Samuel Alcock and Isaac Collin of Dorchester County William Gullett, Edward Fitzgerald, Eleanor Barklett, Andrew Hemphill, William Miles and Aaron Speer of Somerset County David Murry, Guideon Jones, Charles Collins John Onions Joshua Rogers and Robert Pitts of Worcester County Thomas Goldsmith George Bealle, William Askew, Mary Hicks, Joseph Lowman, George Cowin and Samuel Creswell of Baltimore County Thomas Mobberly Junior Henry Warman, John Adams and John Seclew of Ann Arundel County Richard Clark, Richard Scott, Robert Lamar, John Davis, Erassmus Bekias and Adam Wychall of Frederick County Solomon Hardy and William Denune of Prince Georges County John Fulford, Ignatius Green, Thomas Roberts and James Alexander of Charles County John Journey of Calvert County and James Smith of Saint Marys County by their Petitions to this present General Assembly have

[Preamble
with the
Names of
the Pris-
oners re-
lieved by
This Act]

Liber H. S.
No. 1

set forth that they have respectively continued Prisoners for Debt in the Custody of the Sheriffs of the respective Counties aforesaid for a considerable time past and still continue in the like deplorable Circumstances not being able to redeem their Bodies with all the Estate or Interest they have in the World which they would readily surrender up and part with to their several and respective Creditors if they would Accept of the same and grant the said Petitioners their Liberty which seems so unlikely for them to Obtain that unless relieved by a particular Act to be passed in their favour which by the said Petitions they have humbly prayed they must inevitably continue Prisoners for life and as the allegations of the said Petitioners appear to this General Assembly to be true and that their lying in Goal can be of no advantage to their Creditors it is humbly prayed that the said Petitioners may be relieved according to their prayes and that it may be Enacted

[Prisoners
to be dis-
charged on
delivering up
their Effects
on Oath]
p. 641

And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the upper and Lower houses of Assembly and the Authority of the same that in case the said Prisoners shall deliver up and Surrender or cause to be delivered up and Surrendered to the Sheriffs of the respective Counties aforesaid in the presence of two Justices of the Peace of the Counties aforesaid whom the said Sheriffs are hereby required to Summon at the request of the said Prisoners at some Convenient time after the receipt of this Act not exceeding five days all their real and personal Estate either in Possession, reversion, remainder or in trust or in or unto which they have any claim or Interest whatsoever and likewise before the day before mentioned Convey, Assign, Transfer and make over unto the sheriffs respectively for the use of the said Creditors all such their Estates Interest or Claim as aforesaid after such manner as by the said Sheriffs and by the Major part of such Creditors or of such of them as shall think fitt to direct therein or their Council Learned in the Law shall reasonably devise or require at the Costs and Charges of the persons who shall claim Benefit thereof so that the said Prisoners be not burthened with any Warrantees thereby other than against themselves or those Claiming by from or under them and that the said Prisoners at the time of such their surrender and Transferring their Estate as aforesaid shall take their Solemn Oaths (or Affirmation if Quakers) before the said Two Justices aforesaid to the Effect following Viz.^t I. A. B. do affirm or Solemnly Swear that the goods Debts and Effects which I have delivered assigned and made over to the Sheriff of

[The Oath]

County and in trust for the use of my Creditors is the whole Estate both real and Personal of my own in possession or that I have any title to in the world

and that I have not any Estate Goods or Effects of any kind whatsoever left either in possession Reversion or remainder (the necessary Wearing Apparel of myself Wife and Children and Working Tools Excepted) and that I have not directly or indirectly sold Leased or otherwise Conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to Secure the same to receive or expect any profit or Advantage thereof so help me God: It shall and may be lawfull for the Sheriffs of the Countys aforesaid after the end of the said five days and they are hereby required to discharge the said Prisoners and suffer them to go at large

Liber H. S.
No. 1

And be it Further Enacted that if the said Prisoners or any of them shall be Arrested or Imprisoned on any Process Sued out on any Judgment or Decree Obtained against any of them for any Debt damages or Costs Contracted owing or growing due before the end of this Session of Assembly the Court out of which such Process Issued shall and may Discharge such Prisoner on Motion. And if the said Prisoners or any of them shall be Arrested or imprisoned on any process for the recovery of any Debt damages or Costs Contracted owing or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may Discharge the party Arrested out of Custody on his or her common appearance being entered without any Special Bail

[To be
discharged
from future
Arrests on
Appearance
&c]

Provided that the Discharge of the said Prisoners or any of them shall not Acquit any other person from such Debt Damage or Cost or any part thereof but that all such persons shall be Answerable for the same in such manner as they were before the passing this Act. Provided allways and be it Enacted by the Authority aforesaid that Notwithstanding the Discharge of the said Prisoners or any of them all and every Debt or Debts due and owing from him her or them and all and every Judgment had or decree Obtained against him her or them shall stand and be good and effectual in Law to all Intents and purposes against the Lands Tenements and Hereditaments Goods and Chattles of him her or them and which he she or they or any other person in Trust for the use of him her or them had at the time of the Discharge of the said Prisoners or any of them or which he she or they at any time hereafter shall or may be any way Seized or Possessed of or interested in to his her or their own use or in his her or their own proper right either in Law or Equity (except the wearing Apparel Bedding and Working Tools of him her or them not exceeding the sum of Ten pounds Current Money) and it shall and may be lawfull for any of their Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias previous thereto against the Lands Tenements or other Hereditaments Goods

p. 642

[Debts to
stand good
in Case, &c]

Liber H. S. and Chattles of the said Prisoners or any of them (except as before
No. 1 Excepted) for the Satisfaction of his her or their Debts in such sort
manner and form as he she or they might have done if the said
Prisoners or any of them had not been taken in Execution or dis-
charged by Virtue of this Act

[Actions of And be it Further Enacted by the Authority aforesaid that if any
Escape] Action of Escape be brought against any Sheriff or any suit or Action
against and Justice or Justices for their performing their duty in pur-
suance of this Act he or they may plead the General Issue and give
this Act and the Special matter in Evidence and if the plaintiff be
Nonsuit or Discontinue his Action or Verdict pass against such
plaintiff or Judgment upon demurrer the Defendant shall have and
recover double Costs.

[Proviso, as Provided also that nothing in this Act shall Extend or be Con-
to Escape] strued to extend to bar any Creditor or Creditors of the before
mentioned Prisoners from having and maintaining any Action of
Escape against any Sheriff who hath permitted any Escape before the
making this Act

[In case of Provided Nevertheless that in case any of the said Prisoners shall
Perjury] at any time after making such Oath or Affirmation as aforesaid be
Convict of Willfull and Corrupt Perjury thereupon or of a Willfull
Breach or Non Compliance with the Tenor of such Oath or Affirma-
tion as aforesaid that then the said Prisoner shall upon such Con-
viction as aforesaid be wholly deprived of any Benefit intended to
him her or them by this Act and shall from thenceforth be liable
to be prosecuted for any Debt or demands whatsoever in the same
manner as if this Act had never been made any thing to the Con-
trary Notwithstanding

[Sheriffs Provided also that the respective Sheriffs of the Counties afore-
Fees to be said shall be first paid and Satisfied for their Imprisonment Fees
first paid] before any Creditor or Creditors shall have or receive any share or
part of the Estates of the said Prisoners respectively or of the
produce thereof

[Notice to And be it Further Enacted that after Public Notice given by
be given of Advertisements set up at the Court house Door of the County thirty
the Sale of days at the Least of the Sale of any of the said Prisoners Lands and
the Prisoners five days at the Least of the Sale of any of the said Prisoners other
Estates &c] Estate The said Sheriffs to whom any of the said Estates real or
personal shall be Surrendered and delivered up in pursuance of this
Act shall set up and Expose such Estates to Sale by way of Public
Vendue in the presence of one Justice of the peace and the produce
Arising by such Sale shall be by the said sheriffs in manner following
paid and Satisfied (that is to say) after Satisfaction of the afore-
said imprisonment Fees

That the Estate and Interest of the aforesaid Prisoners respec-

tively upon which their Judgment Creditors or any Claiming or that shall claim under them by Assignment or otherwise have or shall have any lien or the Produce thereof shall be in the first place after Satisfaction of the Sheriffs as aforesaid applied to the discharge of the said Creditors According to the Order and Priority of their Judgments and the Lien arising therefrom and that the Residue of the Estate and Interest of the said Prisoners respectively or the produce thereof shall be distributed among all their Creditors that shall apply therefor within thirty days after the aforesaid sale in equal proportion to their Demands

Liber H. S.
No. 1

And be it Further Enacted that all the Accounts Bonds Notes and other demands which any of the said Prisoners have against any person or persons Whatsoever shall be by the said Prisoner or prisoners Assigned to the sheriff in whose Custody such Prisoner or prisoners shall be at the time of their discharge and that such Sheriff or Sheriffs shall and may Maintain an Action or Actions on such demands as Assignee of such Prisoner or Prisoners in his own name Provided allways that such Creditor or Creditors require and demand such Sheriff to Sue and give to such Sheriff a Bond to Indemnify him against any Charge that may Accrue to him by means of any such suit and in Case of Recovery that then the Sheriff make Distribution of what shall be Recovered to the person Or persons giving him such Security as aforesaid

[Bonds, &c
belonging to
the Prison-
ers to be
assigned to
the Sheriffs]

p. 644

And be it Enacted by the Authority aforesaid that if any of the persons intended to be relieved by this Act are and shall be of Sufficient Ability of Body to Labour such person or persons not having a Wife or Family shall be and are hereby Obligated to serve for a time not Exceeding Five Years to any person or persons who are or shall be Inclined to purchase the time or Servitude of such Debtor or Debtors and that the respective Sheriffs in whose Custody the aforesaid Debtors or any of them are be and Are hereby Authorized and Obligated to Summon two Justices of the Peace in the respective Counties at the request of the said Prisoners as soon as conveniently may be after the receipt of this Act and after giving five days Notice at the Court houses of the respective Counties of the Intended Sale of such Debtor or Debtors expose to sale in the presence of the said Justices such Debtor or Debtors and the time of his or their Servitude to the highest bidder and the Money Arising from such Sale shall be as Effects of such Debtor or Debtors in the hands of the respective Sheriffs Subject as aforesaid to a distribution in manner aforesaid and the Sale and Service of such Debtor or Debtors as aforesaid is hereby directed to be taken as a full and sufficient Acquittal and discharge against all Debts due from such Debtor or Debtors before such sale

[Prisoners,
if single, to
be sold for
Five Years]

Provided that in case it shall appear to the Satisfaction of the said Justices that any of the said Debtors have Offered since their con-

Liber H. S. finement to make Satisfaction to their Creditors by Servitude and
 No. 1 that their Creditors have refused to Accept the same that the time
 such Debtors have been confined in Prison shall be deemed and taken
 as part of the aforesaid five years and that they shall be Obligated
 to Serve only for such time as will Compleat Five Years from the
 day of their Commitment to prison and that in case any such
 Single persons as aforesaid have been Confined in Prison for Five
 Years or any Longer time that the said Persons so Confined shall
 be discharged upon the same Terms and in the same manner that
 persons having Families are by this Act directed to be discharged

[no date] Read and Assented to by the Lower House of Assembly Signed p Order MMacnemara CILoho	{	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor,^o Sharpe	Dec.^r 6:th 1766 Read and Assented to by the Upper House of Assembly Signed by Order UScott Cl. Up. Ho.
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the great Seal
in Wax Append^t

No. 21 An Act to Aid defective Common Recoveries
 p. 645
 [Preamble] Whereas many Valuable Lands are held by the present Pos-
 sessors under common Recoveries Suffered by Tenents in Tail and
 in many Instances those Recoveries altho now grown Common
 Conveyances in this Province have been so inartificially and defect-
 ively drawn suffered and executed that the same are not aided
 by the beneficial and usefull Provisions of the late statute En-
 titled an Act to amend the Law Concerning Common Recoveries
 and to Explain and Amend an Act made in the twenty Ninth Year
 of the Reign of King Charles the Second Entituled an Act for
 Prevention of Frauds and Perjuries so far as the same relates to
 Estates per auter viae to remedy therefore such Defective Recoveries
 and secure the Titles and quiet the possessions of those who do
 and may hold under them

[All com- Be it Enacted by the Right Honourable the Lord Proprietary
 mon Re- by and with the Advice and Consent of his Lordships Governor
 coveries and the Upper and Lower houses of Assembly and the Authority
 heretofore of the same that all Common Recoveries heretofore suffered in
 suffered, to the Provincial Court of this Province by Consent and Agreement
 be good in of the parties thereto shall be good and available in Law to all
 Law:] Intents and purposes whatsoever to dock and cutt off any Estate
 Tail in any of the Parties thereto and barr the Issue in Tail who
 can could or might claim as Heir of the Body or Bodies of any
 of the Parties thereto and also to barr those in Reversion or
 remainder who can could or might claim in Default of Issue of
 the Body or Bodies of any of the parties to such Recoveries in
 the same manner as if such recoveries had been legally and form-
 ally Suffered and Executed notwithstanding the Tenant to the

Writ in any such Recovery was not Tenant of the Freehold at the time of Judgment rendered or any other Defect in drawing suffering or executing any of the said Recoveries Provided that some one or more of the Parties to such Recovery at the time of such Judgment was Actual Tenant of the Freehold in the Manors Lands Tenements or Hereditaments recovered and the persons or some of them Joining in such recovery had a Sufficient Estate and power to suffer the same

Liber H. S.
No. 1

[Proviso]

And be it Enacted that where any person or persons heretofore gaining an Estate in fee Simple or who shall hereafter gain an Estate in fee Simple in any Lands Tenements or Hereditaments within this Province by or under any common Recovery Suffered or hereafter to be Suffered hath or have conveyed away or shall hereafter convey away such Lands Tenements or Hereditaments before the Execution of such Recoveries or before any Entry made therein by the Recoverer such Conveyances shall be as good and Available to barr the Vendors and their heirs and all persons Claiming by from or under them as if the said Recoveries had been executed or the Recoveries therein had entered into the said Lands Tenements or Hereditaments before such Conveyance or Conveyances thereof made any Law to the Contrary thereof Notwithstanding

[Persons
gaining Fee-
Simple Es-
tates under
Common
Recovery
&c]

p. 646

5th Dec.^r 1766
Read and Assented to
by the Lower house of
Assembly
Signed p Order
MMacnemara CILoho

{ On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.,^o Sharpe

Dec.^r 6th 1766
Read and Assented to
By the Upper house of
Assembly
Signed by Order
UScott Cl. Up. Ho.

the Great Seal
in Wax Append^t

No. 22 An Act to Remove a Nuisance in Baltimore Town in Baltimore County and for other Purposes therein mentioned

Whereas the Inhabitants of Baltimore Town in Baltimore County have by their humble Petition to this General Assembly set forth that a Large Miery Marsh Adjoining the said Town is by the Noxious Vapours and putrid Effluvia arising therefrom very prejudicial to the health of its Inhabitants and that the proprietors of the said Marsh have by their perverseness or Dilatoriness hitherto refused or neglected to remove the said Nuisance and that the said Nuisance cannot be removed otherwise than by Changing the surface of the said Marsh into firm and dry ground And as the Allegations of the said petitioners appear to this General Assembly to be True

[Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that Thomas Harrison, Alexander Lawson

Liber H. S. and Brian Phillpot of Baltimore County the present Possessors and
No. 1 Owners of the said Marsh shall and may have Liberty to remove
the said Nusance at their own proper Expence

[Proprie- Provided they comply with the directions and requisites in this
tors to a Act hereafter mentioned (that is to say) That the said Thomas
Marsh in Harrison, Alexander Lawson and Brian Philpot within the space
Baltimore- of One Month next after the end of this present Session of Assembly
Town, to shall respectively make their Election and Determination whether
make it into they will undertake effectually to remove the aforesaid Nusance at
firm Ground] their own proper Expence and charges And in case the said Thomas
p. 647 Harrison, Alexander Lawson and Brian Philpot shall within the
time aforesaid limited elect and determine to remove the said
Nusance at their own proper expence and charges then the said
Thomas Harrison Alexander Lawson and Brian Philpot shall within
the said time enter into and execute seperate Bonds with two sufficient
Securities to be approved of by Robert Alexander John Smith Wil-
liam Smith Jonathan Plowman William Speer Andrew Stygar
Charles Ridgely Junior John Merryman Junior and Benjamin
Griffith or the Major part of them who shall be and are hereby ap-
pointed Commisisoners to execute the powers and directions herein
after Limited and expressed in the Penalty of Twenty Pounds
Sterling for every Acre of Marsh to be made firm Ground by each
of them as herein after directed payable unto The Right the Lord
Proprietary with the following Condition

Whereas the said is Seized and Possessed of
Acres of Marshey Ground Adjoining to Baltimore Town
which in its present Situation is a great Nusance to the Inhabitants
of the said Town

[Bond to be Now the Condition of the above Obligation is such that if the
enter'd into said shall within Two Years from the date
for Per- hereof well and Sufficiently remove the said Nusance by Wharfing
formance] in all such Marshey Ground next the Water with a good and Suffi-
cient Stone Wall not less than two feet thick and two feet high at
the least from the Level of the height of the common Flood Tides
or with hewed Logs of the same height at least from the Level of
the common Flood Tides and shall make the same sufficiently firm
and compleat to prevent any sand Gravel or Dirt from washing
through the same into the Water and shall also well and Sufficiently
cover all such Marshey Ground with stones Gravel sand or dirt so
as to raise the same not less than two feet above the level of the
Common flood tides as aforesaid and make and render the whole
Sufficiently firm then the above Obligation to be Void else to be
and remain in full force and virtue in Law

[Else to be And be it further Enacted that the Commissioners aforesaid or
laid out into the Major part of them shall and may at some convenient time before
Lots, and the last day of February next cause all the said Marshy Ground
Sold:]

to be laid out into distinct Lotts each Lott not to contain more than one Eighth part of an Acre leaving such Convenient streets Lanes and Alleys as to the said Commissioners or the Major part of them shall seem meet And that in case the said Thomas Harrison, Alexander Lawson and Brian Philpot or either of them shall neglect or refuse within the said time of One Calendar Month from and after the end of this present Session of Assembly to make such election or Determination or to Execute such Bond as aforesaid the said Commissioners or the Major part of them shall sell and Dispose of the said Lotts within Six Months next after the neglect or refusal of the aforesaid Thomas Harrison Alexander Lawson and Brian Philpot respectively as aforesaid to the highest bidder first giving Notice of such sale in the Maryland and Pennsylvania Gazettes sixty days at the least before the same

Liber H. S.
No. 1

p. 648

And be it Further Enacted that when the Commissioners aforesaid shall have Surveyed and laid out the said Marshy Ground into Lotts it shall be and is hereby declared to be part of Baltimore Town aforesaid to all Intents and purposes whatsoever as fully and amply as it included Originally therein and have the same Immunities and Priviledges as the rest of the said Town have or by former Laws ought to have

[And to be
part of the
Town]

And it is hereby Further Enacted that upon the sale of any such parts or Parcells of Ground as aforesaid the said Commissioners or the Major part of them shall have full power to make and Execute Sufficient Conveyances in the Law for securing to the purchasers a good and sufficient Title in fee simple to the said Lotts or parcels of Ground which said Conveyances shall be upon an express Condition that in case the purchasers of said Lotts or parcels of Ground shall not within Eighteen Calendar Months next after the date of such Conveyances well and sufficiently Wharf in and secure all such Marshy Ground next the Water so by them respectively purchased with a good and sufficient Stone Wall not less than Two feet thick and two feet high at the least from the level of the height of the common flood Tides or with hewed Logs of the same height at least from the level of the Common Flood Tides and shall not make the same sufficiently firm and Compleat to prevent any sand Gravel or dirt from Washing the same into the Water and also well and sufficiently cover all such Marshy Ground so by them respectively purchased with Gravel sand dirt or stone so as to raise the same not less than the said height above the said level and make and render the whole sufficiently firm and secure to erect any buildings thereon that then it shall and may be Lawfull for the said Commissioners or the Major part of them to reenter and the same to have again

[Commis-
sioners
Power to
make suffi-
cient Con-
veyances:]

[On Condi-
tion]

And be it Further Enacted that all and every person or persons whatsoever purchasing any Lott or Lotts of Ground from the Commissioners or the Major part of them aforesaid and all claiming by

[Purchasers
to have
Liberty to
pass there-
on with
Carriages,
&c]

Liber H. S. from or under such Purchaser or Purchasers shall have free Liberty
No. 1 of passing and repassing by themselves and their servants and Slaves
with Carts horses and Carriages of all sorts over all parts of the
said Marsh to the part so purchased until the first day of January
which shall be in the Year One Thousand seven hundred and
Sixty nine

p. 649 And Whereas sundry persons hold small parts of the said Mirey
Marsh by Lease for life or years from the said Thomas Harrison
rendering an Annual rent for the same

[The present Lessees to make dry Ground of their parts] Be it Enacted that unless the said Lessees of the said Thomas
Harrison or their Assignees shall within one Month next after the
end of this Session of Assembly enter into such Bond with Security
as aforesaid for making dry and firm Ground of the parts of the
said Marsh to them respectively Leased that then the said Thomas
Harrison shall and may have leave to make the same into dry and
firm Ground as aforesaid and the rents reserved on such Ground
shall be so much further increased as the said Commissioners or the
Major part of them shall award And for the recovery of such Addi-
tional Rent the said Thomas Harrison his heirs Executors Ad-
ministrators and Assigns shall and may have the like remedy as if
the same had been reserved on or by the said respective Leases or
demises

[Commis- And be it further Enacted that the Commissioners aforesaid and
sioners to be sworn] every of them shall and they are hereby required before they enter
upon the Execution of their Trust to take the following Oath viz
You A. B. as one of the Commissioners appointed by the Act
Entituled an Act to remove a Nuisance in Baltimore Town in Balti-
more County and for other purposes therein mentioned shall in all
things faithfully and Impartially execute the powers given you by
the said Act According to the best of your skill and knowledge so
help you God

[The Purchase Money to be paid immediately] And be it Further Enacted that all and every sum and sums of
Money which shall be received by the Commissioners for the Sale
of the said Marshy Ground as aforesaid shall be paid immediately
to the respective Proprietors of the same and for the better effectuat-
ing the purpose by this Act intended

[In case of Purchasers Non-compliance] Be it Enacted that upon the noncompliance of any Purchasers
with the terms Prescribed by this Act the said Commissioners or
the Major part of them shall have full power and Authority again
to sell and dispose of all such parts or parcells of Ground in the
manner above set forth

[In case Thomas Harrison, &c shall give Bond, and after neglect to Comply, &c] And it is further Enacted that in case the said Thomas Harrison
Alexander Lawson and Brian Philpot or either of them or the
Lessees aforesaid of the aforesaid Thomas Harrison or their As-
signs or any of them shall within the aforesaid limited time of
one Month from the end of this present session of Assembly under-

take and agree to remove the said Nuisance as to their respective parts and shall also give the Security Prescribed by this Act for completing the same and shall after fail or neglect to remove such Nuisance agreeable to the Condition of their respective Bonds above directed to be taken that then and Immediately After such failure or Neglect the Estate title and Interest of the said Thomas Harrison Alexander Lawson and Brian Philpot or the said Lessees or their Assigns so failing or Neglecting shall as to such part or parts not made into firm and dry Ground Secured and Completed according to the Directions of this Act cease and determine and be absolutely void and the said Commissioners or the Major part of them shall have and are hereby Vested with full power and Authority to sell and dispose of all such part of the said Marshy Ground in such manner as the said Commissioners or the Major part of them are by this Act directed in case the said Thomas Harrison Alexander Lawson and Brian Philpot or either of them and the said Lessees and their Assigns should neglect to make their Election or Determination as above set forth and the Money arising upon such Sale to be paid as above directed

Liber H. S.
No. 1

p. 650

And be it further Enacted that in case any of the Commissioners shall die or remove out of the County before the purposes intended by this Act are fully effected that then it shall be lawfull for the Survivors of them to appoint one or more Commissioners to succeed such Commissioners who shall so happen to die or remove out of the County which said Commissioners so appointed by the Survivors shall have the same power and Authority as if particularly named in this Act he or they first taking the Oath aforesaid

[New commissioners to be chosen, in case of Death, &c]

And be it Further Enacted that in case any such Bond shall be given as aforesaid and any of the Ground for the Covering and making of which into dry Ground as aforesaid the same Bond shall be given shall not be so covered and made into dry Ground as aforesaid that then Suit or Action may be brought for the penalty of such Bond at the request of the Commissioners aforesaid or the Major part of them without any Assignment thereof and so much only of such penalty shall and may be recovered thereupon as such Ground not covered and made into dry Ground as aforesaid shall amount to at the said rate of Twenty pounds Sterling per Acre And the said Money so recovered shall be paid to and received and applied by the Commissioners aforesaid or the Major part of them to and for the use of the said Town for and in Building Convenient Wharfs or to the removing the said Nuisance if there should be no purchasers or to the removing the said Nuisance as to any part of the said Marsh purchased when the terms of such purchase shall not be complied with any Law to the Contrary Notwithstanding

[Bonds forfeited, to be put in suit]

[Money received, how to be applied]

And be it Further Enacted that any person or persons that shall build or Improve on any of the said Lotts to be laid out in Virtue of

Liber H. S. No. 1 p. 651
 [Purchasers, Complying with the Terms, to have a good Estate therein] This Act as by former Laws relating to the said Town is directed and purchase the same from the said Proprietor or Proprietors thereof by consent and agreement between the purchaser and such Proprietor or in the manner before mentioned of and from the said Commissioners such Lott or Lotts being Wharfed in secured covered and made into dry Ground as aforesaid shall have an Absolute Estate of Inheritance in and to such Lott or Lotts

[In case of bad Titles] Provided always and be it Enacted that if the Persons herein before mentioned to be the Proprietors of the said Marshy Ground or any or either of them should not be the true and real Proprietors and have fee Simple Titles in the said Marshy Ground respectively as aforesaid that then in Lieu and stead of any recovery of the said Marshy Ground or any part thereof so covered and made into dry and firm Ground and built and Improved on as aforesaid the person or persons who have Title thereto or their heirs shall and may maintain an Action of Debt or on the case against the said person or persons who shall have received any of the purchase Money aforesaid not having title as aforesaid their heirs Devises Executors or Administrators having Assents and thereby recover the full and real Value of the Ground in its present Situation so to be covered and made into dry and firm Ground and built and Improved on as aforesaid with the Costs of such suit

Decem. ^r 6. th 1766	{ On Behalf of the right Honourable the Lord Proprietary of this Province I will this be a Law Hor. ^o Sharpe }	Dec. ^r 6. th 1766
Read and Assented to by the Lower House of Assembly		Read and Assented to by the Upper house of Assembly
Signed p Order M Macnemara Cl Loho		Signed by Order U Scott Cl. Up. Ho.

the Great Seal
 in Wax Append^t

No. 23 An Act Concerning the Name of John Beale Bordley

[Private Act] Whereas John Beale Bordley of Baltimore County Esquire by his humble petition to this General Assembly setting forth that he the said John Beale Bordley posthumous Son of Thomas Bordley of Annapolis Esquire who died in England in or about the year Seventeen hundred and twenty six was Christned in Saint Ann's Parish in Ann Arundel County by the then Rector of the said Parish by the name of John Beale but that having an Elder Brother of the name of John he was usually called by the name of Beale until since the death of his said Brother John excepting that in some instances and by a few people before that time he was called and known by the name of John Beale and that the said John Beale Bordley had made Contracts and purchases some times in the name of Beale and at other times in the name of John Beale at some times with and at other times without an Alias dict: and had also commenced Actions and Obtained Judgments in the one or other name

p. 652

as aforesaid all which facts have been proved to be true had prayed than an Act may be passed for the purpose of Ascertain his Name in all time to come and to prevent any Inconvenience or Injury to himself or others by the indiscriminate use of the name of John Beale Bordley or Beale Bordley heretofore

Liber H. S.
No. 1

Be it Therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and by the Upper and Lower Houses of Assembly and the Authority of the same that the said John Beale Bordley in all times to come take upon himself, be called and known by the name of John Beale Bordley according to his Christian name aforesaid and that all powers, Trusts Gifts, Grants, Wills, Deeds, Contracts and purchases heretofore made by or to the aforesaid John Beale Bordley in or by the name of John Beale Bordley or Beale Bordley be firm and Valid to all Intents and purposes whatever as if the said John Beale Bordley had been therein rightly named and that all Proceedings in Law or Equity by or against the said John Beale Bordley heretofore had and prosecuted in or by the Name of Beale Bordley be and have equal force and effect as if the said John Beale Bordley had been therein rightly named and that there shall and may be such further proceeding thereupon had as if the said John Beale Bordley had been therein named and called by his proper name of John Beale Bordley any Law Statute or Custom to the Contrary Notwithstanding

December 6:th 1766
Read and Assented to
by the Lower House of
Assembly
Signed p Order
MMacnemara ClLoho

{ On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor,^o Sharpe }

Dec.^r 6:th 1766
Read and Assented to
by the Upper house of
Assembly
Signed by Order
UScott Cl. Up. Ho.

the great Seal
in Wax Append

No. 24 An Act for Amending and repairing the publick Roads in Baltimore County p. 653

Whereas it is found by Experience that the Provision made by the Laws now in being is inadequate to the purposes of amending and maintaining the public Roads in Baltimore County [Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Justices of the said County Court shall and may at their County November Court in every Year during the Continuance of this Act nominate and by Warrant appoint such and so many good and Sufficient men of Substance and Credit neither of whom being a Justice of the Peace as they shall think fit to be overseers of the Public Roads in the said County in such [Justices of Baltimore County to appoint Overseers to Repair their Roads]

Liber H. S.
No. 1 divisions and Precincts as shall be Specified and Assigned in their respective Warrants for the year then next ensuing such appointment and on any of their Death Negligent Conduct or Misbehaviour others in their places to name and appoint for the residue of the Year then to come which said Overseers to be nominated and Appointed as aforesaid shall clear mark amend and keep in repair the said Public roads within their respective Precincts and shall make amend and keep in repair all such Bridges and Causeys as are usually made and repaired by Overseers of Highways and for that purpose the said Overseers so to be appointed shall be and are hereby impowered from time to time to hire and imploy a Sufficient Number of Labourers and others at and upon reasonable Wages to work on the said public Roads and cut and use such Wood and timber and for such and the like purposes as Overseers of Highways by the Laws now in being may or might cut and use the same

[Overseers Warrants to be delivered in Ten Days] And be it Further Enacted that the said Warrants shall be made out by the Clerk and delivered to the Sheriff of the said County within Ten days after the said Warrants shall be ordered by the said Court and shall be delivered by the said Sheriff to the persons to whom the same are directed within Ten days after the said Sheriffs receipt thereof under the penalty of Five pounds for each Warrant not made out and Delivered as aforesaid by the Clerk and the like sum for each Warrant received and not delivered as aforesaid by the said Sheriff to be recovered against the Officer not performing his said duty in the said County Court by Action of Debt Bill of Indictment Plaint or Information wherein not more than one Imparance shall be allowed

[Penalty on Overseers neglecting their Duty] And be it Further Enacted that the Overseer of any of the said Precincts where the Public Roads therein shall not be well and Sufficiently cleared and Stubbed of the breadth Prescribed by the Act of Assembly in such case made and Provided or shall not be well and Sufficiently mended within a reasonable time or the Overseer of any of the said Precincts who shall thereafter suffer any of the public Roads Causeways or Bridges therein to be out of repair or that shall for the Space of five days permit or suffer any fallen tree or Limb to lie across or in any of the said public roads therein such Overseer having accepted of such Office shall forfeit and pay Five pounds to be recovered as aforesaid

p. 654 [The Tread of Carriages us'd for Iron, to be 5 inches broad] And be it Further Enacted that from and after the first day of November next no Cart Waggon or other Carriage of Burthen belonging to any Iron Work shall go or pass loaded with Iron Ore on any of the said public Roads or on any of the said Public Roads within five Miles of the Iron Work to which the same belongs with Iron Pigg metal except in its outset on or return from a Journey of a greater distance unless the Tread of the Fellows of the Wheels of such Carriage be five Inches Broad at the least

And be it Further Enacted that the Justices aforesaid at the time of laying their County Levy shall Assess on the Taxable Inhabitants of the said County Ten pounds of Tobacco p poll besides the Sheriffs Salary of six per Centum for collecting the same and the said Sheriff is hereby impowered and directed to collect and Levy the same in the same manner and which shall be payable in Money at the same rates as public and County Levies are to be Collected Levied and are payable

Liber H. S.
No. 1
[Ten per
Poll to be
levied]

And be it Further Enacted that the said Overseers shall once at the least in every Year or at every County Court if they think proper produce and give in to the Justices of the said County Court fair and distinct Accounts on Oath of the Charges and expences of clearing amending and maintaining in repair the said Roads in their Precincts expressing therein to whom all sums of Money therein charged have been paid or are due and for what and when and how many days such Overseers necessarily spent on or about the said Roads which Accounts the said Justices shall settle and adjust allowing to the said Overseers at and after the rate of Sixty pounds of Tobacco per day for their Services and allowing the other Charges in such Accounts or such part thereof as shall appear to such Justices just and reasonable and the said Justices shall on the Settlement of such accounts draw orders on the Sheriffs aforesaid for the payment thereof who shall pay the same on sight

[Overseers
to render
Accounts]

[Their
allowance]

And it is also Enacted that all penalties which shall be recovered by Virtue of this Act shall be paid to the Sheriff of the said County to be applied and laid out in Amending the said Public roads and keeping them in repair and if the Tobacco to be Levied as aforesaid together with the Penalties aforesaid if any recovered shall not be Sufficient to defray the Expences aforesaid The Dificiency shall be Assessed collected levied and paid as aforesaid and if the Tobacco to be levied as aforesaid together with the penalties aforesaid if any recovered shall be more than Sufficient to defray the expences aforesaid then the Overplus shall go and be applied towards the discharge of the said County Levy

[Penalties to
be paid the
Sheriff]

p. 655

[In case of a
Deficiency,
how to be
made up.]
[If an Over-
plus, how to
be Applied.]

And be it Further Enacted that no gate shall hereafter be set up or placed in or upon any public Road in the said County in any place where a gate is not now kept and if any should be set up or placed contrary to this Act the same is hereby declared and shall be deemed a Nuisance

[No new
Gates to be
set up]

And be it Further Enacted that after Overseers are appointed in Virtue of this Act no person or persons whatsoever shall be compelled or Compellable to Work or Labour on the Public Roads or High Ways in the said County by Virtue of any Law now in being any Law or thing to the Contrary Notwithstanding

[No Persons
oblig'd to
work on
Highways by
former Laws
in Baltimore]

Liber H. S. This Act to continue till the last day of October Which shall be
 No. 1 in the Year of our Lord Seventeen hundred and Seventy and no
 [Duration] longer

December 6:th 1766	{	On behalf of the Right	Dec. 6 th 1766
Read and Assented to		Honourable the Lord	Read and Assented to
by the Lower House of		Proprietary of this Prov-	by the Upper house of
Assembly		ince I will this be a Law	Assembly
Signed p Order		Hor., ^o Sharpe	Signed by Order
MMacnemara Cl Loho			UScott Cl. Up. Ho.

the great Seal
in Wax Append.^t

No. 25 An Act to Oblige Infected Ships and other Vessells coming into this Province to perform Quarantine

[Preamble] Whereas great Mischiefs have Arisen from the Landing of Goods and passengers from Ships and other Vessells coming into this Province with Servants and German Passengers by Communicating to and Spreading amongst the Inhabitants dangerous infectious distempers begun at first by numbers of People being closely confined together for long times in a small space

[Masters of Vessels to be Sworn, That They have no infectious Distemper on Board:] Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and consent of his Lordships Governor and the Upper and Lower houses of Assembly and the Authority of the same that no Ship or Vessel whatsoever coming into this Province after the first day of May next and in which Ship or Vessel there shall be Imported more than Thirty Servants

p. 656 or Passengers shall be Admitted to make her Entry or land or put on Shore any Goods Passenger or Servant before the Master together with two other Credible persons shall make Oath before

[The Oath] the Collector or Naval Officer with whom such Ship or Vessel shall first enter, That neither the Small Pox Goal Fever Yellow Fever Flux or any such Dangerous Infectious Distemper is or hath been on Board such Ship or Vessel on her Passage to the knowledge or belief of such Captain or other persons taking such Oath respectively which Oath the said Collector or Naval Officer is hereby empowered and directed personally or by their Deputies to Administer and Certificate thereof give without Fee or Reward

[In case of Refusal to make such Oath] And be it Further Enacted that in case any such Ship or Vessel shall be Offered to be entered and such shall be refused to be made or delayed for the Space of Forty eight hours thereafter that then the Officer to whom Application shall be made for Entry as aforesaid shall and he is hereby enjoyned and strictly Required immediately thereupon to Transmit and send a full and Distinct Account and information thereof to the Governor or Commander in Chief of this Province for the time being and on such Information given as aforesaid such Ship or Vessel shall be Obliged to make her

Quarantine in such place or places for such time and in such manner as from time to time shall for that purpose be directed by the Governor or Commander in Chief of this Province for the time being and that during the said time and until the said Ship or Vessel shall be discharged of and from such Quarantine no person coming or goods Imported therein shall come or be put on Shore or go on Board any other Ship or Vessel within this Province nor shall any person go on Board such Ship or Vessel obliged as aforesaid to make Quarantine without Licence first had and Obtained from the Governor or Commander in Chief for the time being in such manner and under such Limitations and restrictions as he shall think fitt to grant or allow the same and that in case there shall be any Breach of the said Quarantine in any respect the Master Commander Chief Officer or person having the charge of such Ship or Vessel without such Licence as aforesaid shall if a free person forfeit and pay One hundred pounds Sterling to be recovered with full Costs of Suit in any Court of Record within this Province by Action of Debt Bill of Indictment Plaint or Information wherein no Essoin Protection or Wager of Law or more than one Impar lance shall be Allowed, and if a Servant or Slave suffer such Corporal punishment by Whipping not Exceeding Thirty nine Stripes as by two Justices of the Peace shall be ordered and Adjudged upon complaint and proof of such Offence

Liber H. S.
No. 1

[The Governor may order The Vessel to perform Quarantine]

[Penalty for breach of the Quarantine]

p. 657

And be it Further Enacted that the Master or Commander of every Ship or Vessel importing above the said number of Passengers or Servants into this Province after the said first day of May next shall before the said Ship or Vessel shall be Admitted to make her Entry discover and disclose to the Collector and Naval Officer aforesaid the Number of Passengers and Servants Imported in such Ship and if the Master or Commander of any such Ship or Vessel shall not make such Discovery as aforesaid he shall forfeit and pay One hundred pounds sterling to be recovered as aforesaid

[The Masters to give Information of their Number of Passengers and Servants]

And be it Further Enacted that any Master or Commander of a Ship or Vessel importing above the said Number of Passengers or Servants as aforesaid who shall Land or put on Shore any Passenger Servant or Goods from on Board such Ship or shall sell any Servant imported in such Ship and also every person who shall buy such Servant or knowingly entertain in his or her house any Passenger or Servant or receive any Goods imported in such Ship before Certificate Obtained of such Oath being made as aforesaid shall respectively forfeit and pay Twenty Pounds Sterling to be recovered as aforesaid, And whereas dangerous infectious distempers frequently break out in Ships and Vessells importing passengers and Servants into this Province on the Arrival here after healthy passages

[Penalty on Landing, Selling, or Buying, before Oath made]

[In case of Distempers breaking out after their Arrival]

Be it therefore Enacted that even after such Certificate Obtained as aforesaid if it shall be made appear to the Governor or Commander

Liber H. S. in Chief of this Province for the time being by proof on Oath of at
No. 1 least two Credible Witnesses that the Passengers or Servants im-
ported in such Ship or Vessel or the Crew thereof or any of them
are or is infected with or have the Goal or Yellow Fever or any
such dangerous infectious Distemper the Governor or Commander
in Chief may thereupon order such Ship or Vessel to perform
Quarantine in the manner aforesaid and under the same Penalties
as are herein before mentioned to all persons Concerned

[Punish- And be it Further Enacted that any person whatsoever falsely
ment for corruptly making the Oath aforesaid shall and may be prose-
perjury] cut in the same manner and suffer the like Punishment as for
Wilfull and corrupt Perjury and that in any Suit or prosecution for
the Recovery of any penalty under this Act the Defendant or De-
fendants may in the discretion of the Court be Awarded to give

[Penalties how to be re- Special Bail one half of all such Penalties where the recovery shall
covered and be by Action of Debt or Information quitam to the use of the In-
applied] former or to him her or them that shall Sue for and recover the
same and the other half thereof shall be paid to the Sheriff of the
County where the Recovery shall be had and by him paid into the
hands of the Treasurer of the Shore whereon the same shall be

p. 658 recovered for the use of the Public of this Province to be applied
and Laid out in the purchase of a place and building a Pest house
for the reception of the Infected, as the General Assembly for the
time being shall direct or where the the recovery shall be had other-
wise than by Action of Debt or Information quitam the whole of the
said Penalties shall be paid and applied to the uses last aforesaid

[Duration] This Act to Continue Threë years and to the end of the next
Session of Assembly which shall happen after the Expiration of
the said Three Years

December 6:th 1766	{ On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor., ^o Sharpe }	Dec. ^r 6 th 1766
Read and Assented to		Read and Assented to
by the Lower House of		by the Upper house of
Assembly		Assembly
Signed p Order		Signed by Order
MMacnemara Cl Lo ho		UScott Cl. Up. Ho.

the great Seal
in Wax Append.^t

No. 26 An Act for the payment of the Publick Claims for emitting Bills
of Credit and for Other Purposes therein mentioned

[Preamble] Whereas it appears by the Journal of Accounts and List of Debts
Assented to this present Session by both houses of Assembly that
there are now due from the Public of this Province to the Several
Creditors thereof the Quantity of Five Million six hundred and
twenty three thousand four hundred Ninety nine pounds and three
fourth parts of a pound of nominal Tobacco payable in Money equal

in Value to the rate of seven shillings and six pence sterling per hundred pounds of Tobacco and the sum of Nineteen thousand Eight hundred and forty pounds one shilling and two pence farthing Nominal Money of the True and real value according to the Course of Exchange between this Province and London of Eleven Thousand nine hundred and four pounds and nine pence Sterling

Liber H. S.
No. 1

And Whereas the public of this Province now hath twenty six thousand and eight hundred pounds Capital Stock of the Bank of England as appears by the Last Account rendered by the Trustees for this Province residing in London dated the Thirtieth day of May Last and also the sum of Five thousand two hundred and thirty pounds Seventeen shillings and two pence Sterling not invested Subject to the disposition of the General Assembly and the great Scarcity of Specie at this time makes an Additional Circulating Medium in this Province Necessary for the Purposes of Trade and Commerce For the Ease therefore of the good People of this Province in the payment and Discharge of the Publick Debt to supply in some Measure a circulating Medium of commerce and for the other purposes herein after particularly mentioned

p. 659

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower houses of Assembly and the Authority of the same that Bills of Credit of the Denomination of Dollars. Aliquot parts of a Dollar to the amount of One hundred and seventy three thousand seven hundred and thirty three Dollars shall be printed and struck with all convenient Speed on good single paper under the care and directions of the Commissioners to be appointed by Virtue of this Act in manner and form following to wit, This Indented Bill of

[Bills of
Credit to be
Printed for
Discharge of
the Public
Debt]

Dollars shall entitle the bearer hereof to receive Bills of Exchange payable in London at the rate of Four shillings and six pence sterling per Dollar for the said Bill according to the Directions of an Act of Assembly of Maryland dated in Annapolis this

[Their
Tenor]

day of Anno Domini 176 which Bills of Credit shall be signed numbered and dated by the Commissioners aforesaid and the Number of Dollars or the parts or part of a dollar by which each Bill shall be denominated shall be printed at the top of such Bill in words at length with such devices and marks on the said Bills as the said Commissioners shall think fit and direct as well to prevent Counterfeits as readily to distinguish their several denominations the Number of which Bills as well as the Denominations thereof shall be the following and no other to wit Six Thousand three hundred and nineteen Bills of eight Dollars each Six thousand three hundred and Eighteen Bills of six Dollars each six thousand three hundred and Eighteen Bills of four Dollars each twelve thousand Bills of Two dollars each twelve thousand Bills of one Dollar each twelve thousand and two bills of two

[Their num-
ber and De-
nomination]

Liber H. S. third parts of a Dollar each twelve thousand Bills of one half Dollar
 No. 1 each Eleven thousand nine hundred and ninety nine Bills of one third
 part of a dollar each Twelve thousand Bills of two ninth parts of a
 Dollar each Twelve thousand Bills of one sixth part of a Dollar
 each and Twelve thousand Bills of one ninth part of a Dollar each
 and the said Commissioners are hereby directed and required to
 [Commis- Use the best of their care and Diligence that the said Bills According
 sioners to see to their respective Denominations aforesaid and according to the
 the Printing manner and form aforesaid be forthwith printed and made ready for
 perform'd] Emission and that the Number thereof be not Exceeded nor any
 clandestine or fraudulent practice be used by the printer his Servants
 or others concerned therein

p. 660

[The
 Printer, &c
 to be sworn]

And be it Enacted that the printer who shall or may be employed
 in printing and stamping the said Bills of Credit and all his ap-
 prentices and Servants which he may employ in the said work shall
 before he or they begin or enter upon the same take before some
 Justice of the Provincial or County Court the following Oath to wit,,
 [The Oath] I A. B. do swear that I will truly faithfully and honestly perform
 my Duty of Printer agreeable to the directions of an Act of As-
 sembly of this Province entituled an Act for the payment of the
 Publick Claims for emitting Bills of Credit and for other purposes
 therein mentioned and will not advisedly print or stamp any greater
 Number of Blank Bills of Credit than in that Act mentioned or of
 other Denominations than therein expressed except such Sheets that
 may be so blotted unfair or imperfect in the impressing and printing
 thereof that the same are unfit for use so help me God

[Penalty on
 the Printer,
 &c for a
 breach of
 Duty]

And if such printer by himself Servants or Apprentices or any of
 them by his Privy Direction or Permission shall advisedly print or
 Stamp any greater or larger Number of the Bills aforesaid or of
 any other Denominations than by this Act Limited and expressed
 contrary to the true Intent and meaning thereof and be thereof
 legally convicted in any Court of Record within this Province he
 shall forfeit and pay the sum of Five hundred pounds Current
 Money to be recovered by Action of Debt Bill plaint or Information
 wherein no Essoin protection or Wager of Law or more than one
 Imparlance shall be Allowed and any Servant or Apprentice of such
 Printer who shall be of the said Offence Convicted before two or
 more Justices of the peace of the County where the same shall be
 committed shall receive Corporal Punishment by Whipping not ex-
 ceeding thirty Nine Stripes by the said Justices to be Adjudged

[Commis-
 sioners to
 attend the
 press]

Be it also Enacted that the Printer of the said Bills shall not by
 himself Servants or any other person by him employed presume to
 print or stamp the said Bills or any of them but in the presence
 of one or both of the said Commissioners who are hereby required
 and directed to be present And when all the said Bills shall be printed
 and Stamped the Stamps and flowers by which such Impressions

may be made shall be delivered by the printer to the said Commissioners under the Penalty of Five hundred Pounds Current Money to be recovered as aforesaid and the said Commissioners are hereby directed and required to receive the said Stamps and flowers into their possession and the same safely keep in their Office under the penalty of Five hundred pounds Current Money to be recovered as aforesaid

Liber H. S.
No. 1

[The Stamps
and Flowers
to be deliv-
ered to the
Commis-
sioners]

And be it Further Enacted that any person or persons who shall counterfeit any of the said Bills of Credit or who shall forge any Bills of Exchange directed to be drawn by this Act or alter the sum Expressed in any of the said Bills of Credit or Bills of Exchange and his her or their Aiders or Abettors or who shall utter or offer or cause to be uttered or Offered in payment any such counterfeit or altered Bills of Credit or Bills of Exchange knowing the same to be Counterfeit or altered and shall be thereof Convict by due course of Law or stand mute or peremptorily challenge above the Number of twenty of the Pannel shall suffer Death as a Felon or Felons without Benefit of Clergy And all Persons into whose hands any of the said counterfeit Bills may happen to come shall forthwith deliver the same to some Provincial Justice who shall cause the name of those that delivered them and of the persons from whom they were taken to be indorsed on the Back thereof which Bills shall be safely kept by the said Provincial Justice and be forthcoming when there may be Occasion thereof

[Persons
Counter-
feiting Bills
of Credit, or
Bills of Ex-
change, to
Suffer
Death]
p. 661

And be it Further Enacted that the Right Honourable the Lord Proprietary or the Governor or Commander in Chief of this Province for the time being shall and may Nominate and appoint two Commissioners to emitt the said Bills of Credit and shall or may remove them or either of them in case of Misbehaviour or unfitness to Act if it shall appear to his Lordship or the Governor or Commander in Chief that the Welfare of this Province shall require such removal

[Two Com-
missioners to
be nominated
by the
Governor]

And be it Further Enacted that the said Commissioners before they enter upon the Execution of their said Trust shall each of them before some Provincial Justice enter into Bond with Sufficient Sureties Jointly and severally in the penalty of Three Thousand pounds Sterling payable to the Lord Proprietary Conditioned for the Observance and faithful discharge of the Trust hereby reposed in them and shall also before such Justice (who is hereby impowered and required to Administer the same) take the Several Oaths appointed by Law to be taken to the Government Subscribe the Oath of Abjuration and repeat and Subscribe the Test and take the following Oath to wit I A. B. do swear that I will According to the best of my skill and knowledge faithfully impartially and truly demean myself in the Discharge of the Trust committed to me by an Act of Assembly of this Province Entituled an Act for the

[Commis-
sioners to
give Bond]

Liber H. S. No. 1 payment of the publick Claims for Emitting Bills of Credit and for other Purposes therein mentioned According to the purport and Tenor of the same Act so that none may be prejudiced by my Consent Privy or Procurement So help me God

[Commissioners to direct the Printing of the Bills, &c] And be it Further Enacted that the said Commissioners after they are so Qualified shall proceed to give directions for Printing the same Bills of Credit According to the Directions of this Act and after the same are so printed shall sign and Number the same Bills as is hereby directed and the same so Signed shall keep and deposite in one of the Strong Iron Chests now in the late Paper Currency Office with two Strong Substantial and different Locks and that p. 662 each Commissioner or Trustee shall keep a Key to the end that no Bills of Credit which shall be Signed be taken out or disposed of but by or in the presence of both the Commissioners which Chest shall be by them kept in the repository of the said Office

[The Commissioners to employ a Clerk] And be it Enacted that for the more Regular Management of the Affairs relating to the Trust of the said Commissioners, the Commissioners aforesaid are hereby impowered to choose and employ a fit and able person for their Clerk who shall before he enters the Execution of his said Office before some Provincial Justice enter into Bond with sufficient Sureties Jointly and Severally in the Penalty of Fifteen hundred Pounds Current Money payable to the Lord Proprietary conditioned for his Faithful and honest Discharge of his duty of Clerk aforesaid and his keeping True, fair and regular Accounts and Entries of the Proceedings of the said Commissioners and shall also before such Justice who is hereby impowered and required to Administer the same take the Several Oaths appointed by Law to be taken to the Government Subscribe the Oath of Abjuration and repeat and Subscribe the Test and take the following Oath to wit, I A. B. do swear that I will truly and faithfully perform and execute the Office and duty that is directed and required of me as Clerk of the Commissioners for emitting Bills of Credit by a Law of this Province entituled an Act for the payment of the publick Claims for emitting Bills of Credit and for other purposes therein mentioned and I will keep a Just and true Account of all Bills of Credit which shall be Issued and paid out of the said Office and the names of those to whom the same shall be paid and Delivered and all other Necessary Accounts relating to the said Bills of Credit and true Entries make of all other proceedings and Transactions of the said Commissioners without any fraudulent Practice whatsoever So help me God.

[The Clerk's Bond to be recorded in the Provincial Office] And be it Further Enacted that the respective Provincial Justice before whom any of the said Bonds shall be entered into shall indorse an Order under his hand on the Back of the same Bond requiring the Clerk of the Provincial Court immediately to Record among the Land Records of his Office the said Bond and Order

and the said Clerk shall immediately after the recording aforesaid deliver the Original to the Register of the Chancery Court to be by him safely kept in the Chancery Office and an Attested Copy of the Record of the said Bond and Order from the Provincial Records shall be as good Evidence to all intents and Purposes as if the Original was produced and proved in Court

Liber H. S.
No. 1

And be it Further Enacted that as soon as the said Bills of Credit shall be so Printed signed and Numbered which shall be fully Completed and done by the Twentieth day of February next at furthest the said Commissioners shall and they are hereby Authorized and required to deliver out of the said Bills of Credit to the several persons their Executors Administrators Assigns or Orders who are allowed by the Publick or to such of them as shall offer to receive the same the Value according to the rates before mentioned of the Quantities of Tobacco and sums of Money allowed to them respectively as they appear to be allowed stated and Ascertained by the Journal of Accounts and List of Debts aforesaid assented to this present Session by both Houses of Assembly

p. 663

[The Commissioners
Authoriz'd
to pay the
Public
Creditors]

Provided Nevertheless and be it Enacted that such of the said Allowances in the said Journal of Accounts or List of Debts as shall not be Claimed and Demanded of the said Commissioners before the Tenth day of June next shall not be by them paid after that time

[Proviso]

And Whereas the Honourable the Upper House of Assembly did this session of Assembly as well as many others heretofore dissent to the passage of the Journal of Accounts and List of Debts because an Allowance of a Salary heretofore made and paid to the Clerk of His Lordships Council of State was not inserted therein and a Conference between the Two houses being thought the most probable Mean to bring about so desirable an end as restoring publick Credit and paying off the Just Claims against the Public was proposed and agreed to

And Whereas the Conferees from the Lower House were instructed by their House to inform the Conferrees of the Upper House that they were clearly of Opinion that the Clerk of the Council his reasonable reward as well as every Expence Necessarily Attending the Execution of the Powers of Government ought to be defrayed out of the Fines Forfeitures Amerciaments and moneys received by the Government to defray the expenses thereof but yet as there seemed no Probability of a speedy Concurrence of both houses in that Sentiment and the distressed Circumstances of the Province and many of the Claimants against the Public called for an immediate Circulation of a Medium of commerce and discharge of the public Debt that they should propose to their Honours as the most eligible Expedient. That paper Bills of Credit should be

[The Allow-
ances of the
late and
present
Clerks of the
Council, to
be placed in
one of the
Treasurer's
Hands, till
the Dispute
between the
Two Houses
on that Head
shall be de-
termin'd by
his Majesty
in Council]

Liber H. S. emitted on the Foundation of the Public Money now in the Funds
 No. 1 not only to the amount of the Journal and List of Debts but also
 to that of the late and present Clerk of the Council their claim and
 the further sum of Fifteen hundred pounds That those who have
 already Allowances on the Journal and List of Debts receive their
 Allowances in Bills of Credit. That a sum to the Amount of the
 Claims of the late and present Clerk of the Council be put into the
 hands of the Treasurers and be by them placed out at Interest
 p. 664 and the principal and Interest be paid to the Late and present Clerk
 of the Council or their Representatives in case the King in Council
 shall so order, otherwise such Principal and Interest to be and
 remain the property of the Publick and that the said sum of Fifteen
 hundred pounds in Bills of Credit be paid to the Order of the Lower
 House of Assembly and invested in Bills of Exchange to Enable
 the Lower House of Assembly for the time being to employ and
 retain an Agent in London

And Whereas the Conferrees of the Upper House did inform
 the Conferrees of the Lower House that they were Instructed by
 their House to answer to the proposal made them by the Conferrees
 of the Lower House that the Lower House having represented
 that their Sentiments were directly opposite to the Opinion They
 the Upper House had on mature Consideration formed upon the
 Subject of the Clerk of the Councils Claim of a Salary or Com-
 pensation for his services but that they were extremely desirous a
 fair and Equitable Expedient for terminating the Subsisting Differ-
 ence might take place but that the proposition made by them in
 pursuance of the Instructions of their house appeared to them to be
 unequal and inconsistent with their indubitable Rights and there-
 fore they had resolved not to Accept thereof but that they had on
 their parts further to propose, That an appeal be made by the
 Two houses to his Majesty in Council on the Subject of their
 Disagreement That such sum of publick Money be paid to the order
 of the President of the Upper House as might be sufficient to
 defray the expence which might Attend the prosecution of the
 Appeal on their part and an equal sum of public money be paid to
 the order of the Speaker of the Lower house of Assembly for the
 like purpose of defraying the charge of the appeal on their part
 and moreover as an alternative in case the Lower House should
 not agree to the above Application of the Public Money That the
 Appeal on each side be made and prosecuted without the Allotment
 or Application of any Public Money for that purpose and that in
 case the Lower house should agree to an Appeal upon the terms
 either of the former or latter proposition That such persons as
 have Allowances in the Journal of Accounts and in the List of
 Debts should receive their respective Allowances as soon as might
 be and that a sum equal to the amount of the Claims of the late

and present Clerk of the Council be paid into the hands of one of the Treasurers and placed by him on good Security at Interest and the Principal together with the Interest be accounted for to the late and present Clerk or to their Representatives or as the property of the publick in such manner as his Majesty in Council on the proposed Appeal shall be pleased to order and direct which latter proposition of the said Alternative the Lower House accepted and agreed to

Liber H. S.
No. 1

p. 665

Be it therefore Enacted that in pursuance of the said Agreement between the Two houses as aforesaid the said Commissioners are hereby directed and required to pay to one of the Treasurers of this Province seventeen hundred and three Dollars and one tenth part of a Dollar in the Bills of Credit aforesaid being the amount of the Claims of the Late and present Clerk of the Council up to this Session of Assembly together with Eighty five Dollars and one fifth part of a Dollar for the said Treasurers Commission which said seventeen hundred and three Dollars and one tenth part of a Dollar the said Treasurer is hereby directed and required to receive and place out at Interest on good Security until a final Determination shall be had and made in the matter aforesaid by his Majesty in Council And that then the said Principal Money together with the Interest thereon be accounted for to the late and present Clerk of the Council or to their Representatives or as the property of the Publick And as the General Assembly shall direct and appoint in such manner as his Majesty in Council on the Appeal aforesaid shall be pleased to order and Direct, And the said Treasurers Bond shall be answerable for the Money and Interest aforesaid

And be it Further Enacted that the Commissioners aforesaid shall be Obligated and it is hereby declared to be their Duty to Attend at their Office (which shall be kept where the former paper Currency Office was kept) from Nine of the Clock in the Morning until twelve, and from two of the Clock in the afternoon till five, on the Monday, Wednesday, Friday and Saturday in every Week untill the Tenth day of June next and shall keep a fair regular and distinct Account of all such payments as they shall make in Virtue of this Act and the Receipts of the persons to whom paid expressing when, how much, and for what the same is or shall be paid And the said Commissioners shall lay the said Accounts and receipts to be kept by them as well as all other their Proceedings in Virtue of this Act before a Committee of both houses of Assembly which shall be appointed at the next meeting of Assembly after the said tenth day of June next for the view Inspection and Examination of the said Committee

[Office Days and Hours for the Attendance of the Commissioners]

[Commissioners to lay an Account of their Proceedings before a Committee of both Houses, After The 10th June]
[Commissioners, Office Expenses, the Clerk and Printer to be paid out of the Bills of Credit Aforesaid]

And be it Further Enacted that out of the said Bills of Credit there shall be Allowed and paid to the said Commissioners for their Trouble and care in Executing the duty and trust reposed

Liber H. S. in them besides their reasonable Expences for pens paper Ink and
No. 1 Firewood Two hundred and fifty Dollars each, To the said Clerk
p. 666 who shall be employed by them for his said Service Two hundred
Dollars and to the printer who shall stamp and print the said Bills
of Credit Eight Hundred Dollars and the Trust and powers hereby

[The office
of the Com-
missioners,
when to
expire]

Conferred on the said Commissioners and the Office and employ-
ment of their Clerk shall cease and Determine immediately upon a
View Inspection and Examination of their said Accounts and Pro-
ceedings had by the Committee aforesaid And the said Office and
all Bills of Credit Books and things therein then being: and the
Keys of the Office aforesaid Repository and Iron Chests therein
shall then be delivered up that is to say One of the Keys of the
said Repository and Iron Chest shall be Delivered to the Governor
or Commander in Chief of this Province for the time being one
other of the said Keys to the President of the Upper House and
the other of the said Keys to the Speaker of the Lower House of
Assembly to be by them respectively safely kept And the said
Repository and Iron Chests or either of them shall not be opened
but in the times of the Sittings of Assembly and then by and in
the presence of a Committee of both houses of Assembly which
shall be at every Meeting appointed to open the same and inspect
and report the Condition thereof to both Houses of Assembly

[The Keys
of the
Repository
and Iron
Chest, to
whom to be
delivered]

[Committee
to exchange
torn and
defaced
Bills]

And be it Further Enacted that upon Application during the
Continuance of this Act to the said Committee by any person or
persons having any of the said Bills of Credit which shall be torn
or defaced and not fit to pass it shall and may be Lawfull for the
said Committee to burn and destroy the said torn or defaced Bills
delivering to such person or persons Bills of Credit out of those
remaining in the Iron Chest to the amount of such Bills so burnt
and destroyed of which burning and delivery of Bills the said
Committee shall make mention in their said Report

[Creditors
not applying
before the
10th June
next, to be
paid by the
Committee]

And be it Likewise Enacted that if any person or persons their
Executors or Administrators who have an Allowance on the said
Journal or list of Debts should not apply for the same to the Com-
missioners afs.^d before the aforesaid Tenth day of June next it
shall and may be Lawfull for the said Committee of both houses
of Assembly that shall be appointed the next Session after the
said Tenth day of June on Application of such person or persons
their Executors Administrators or Assigns to deliver out to such
person or persons applying as aforesaid Bills of Credit amounting
as aforesaid to such Allowances the said Committee taking receipts
for the same in the same manner as the Commissioners are before
directed to take receipts all which Payments the said Committee
shall also make mention of in their Report

p. 667

[Committee
to corre-
spond with
the Trustees
in London]

And be it Further Enacted that the said Committee to be as
afs.^d appointed shall also be a Committee to correspond with the
Trustees residing in London and that the present Trustees residing

in London who have the Direction and management of the Capital Stock of the Bank of England belonging to the Public of this Province under the Superintendence of the Right Honourable the Lord Proprietary or such Trustees as shall or may be appointed in their Stead by his said Lordship shall receive the Dividends arising from the said Capital Stock and invest those Dividends at short and reasonable times into Capital Stock of the Bank of England for the use of the public of this Province and shall also once at the least in every Year send an Account of the said Capital Stock and of the Dividends thereon received from time to time to the said Committee to the end that the General Assembly may at all times know and be informed of the state and Increase of the said Capital Stock

Liber H. S.
No. 1

[Directions
to The
Trustees
about the
Dividends,
&c]

And be it Further Enacted that his Lordship the Right Honourable the Lord Proprietary or the Governor or Commander in Chief of this Province for the time being at some time between the Twenty fifth day of March and Twenty fifth day of June which shall be in the Year Seventeen hundred and Seventy seven shall and may Nominate and appoint one Commissioner to receive and take in the Bills of Credit that shall be put into Circulation as aforesaid and to draw Bills of Exchange for the Satisfaction and discharge thereof in the manner hereinafter mentioned and who for that purpose shall Attend in the said said Office on the Tuesday and Friday in every Week and for the more easy and regular management of the Affairs relating to the Trust of such Commissioner the same Commissioner is hereby impowered to Choose and employ a fit and able person for his Clerk before such Commissioner or the person by him Chosen and employed for his Clerk shall enter upon the Execution of their respective Office they shall respectively take such Oaths and give such Bond with Sureties in the manner and form before directed as to the Commissioners first before mentioned and their Clerk respectively which Bonds so as to be given by the said one Commissioner and his Clerk shall be indorsed recorded and Lodges and Copys of the Records thereof be Evidence in the same manner as is herein before directed as to the Bonds of the said Two first mentioned Commissioners and their Clerk

[One Com-
missioner to
be appointed
between the
25th March
and 25th of
June 1777]

[His Duty]

[Clerk to
be employed.
Commis-
sioner and
Clerk to take
Oaths and
give Bond,
&c]

[Their
Bonds, how
to be dis-
posed of]

And be it further Enacted that the said Commissioners so as aforesaid to be appointed to receive and take in the Bills of Credit aforesaid and to draw Bills of Exchange for the Satisfaction and discharge thereof shall after his being Qualified in manner aforesaid between the said twenty fifth day of June Seventeen hundred and Seventy seven and the Twenty fifth day of December then next inclusive have and keep the Possession and Custody of the said paper Currency Office Repository and such one of the Iron Chests therein which shall not Contain any of the said Bills of Credit not put into Circulation and that any person or persons who shall have the possession of any Number or Quantity of the said Bills

[The Com-
missioners at
what Time
to take in
Bills of
Credit and
draw Bills
of Exchange
on the
Trustees]
p. 668

Liber H. S. of Credit shall be and is hereby entituled upon producing the same
No. 1 before the said Commissioner in the said Office between the Last

[At what
Rate and
how Bills to
be drawn]

aforesaid times to have demand and receive from the said Commissioner Bills of Exchange for the full Value of the said Bills of Credit so produced at the rate of four shillings and six pence sterling per Dollar to be drawn by the said Commissioner upon the Trustees residing in London and the said Commissioner is hereby directed Impowered and Authorized to draw one or more sets of Bills of Exchange payable at Forty days sight to the person or persons producing such Bills of Credit or to his or their order to the said Value or Amount of the said Bills of Credit so produced as aforesaid which said Bills of Exchange shall be drawn upon the Trustees residing in London and in the Body of each respective Bill of Exchange it shall be directed that the Moneys to be paid shall be Placed to the Account of the Province of Mary Land And for the sure payment of the said Bills of Exchange so to be drawn by the Commissioner aforesaid in manner aforesaid

[The Trustees to accept and pay the Bills drawn by the Commissioners]

Be it Enacted that the said Trustees residing in London shall and they are hereby directed and enjoyned to accept in the usual form all and every of the said Bills of Exchange immediately upon tendering and presenting the same. And to Enable the said Trustees to pay the said Bills of Exchange at the time they shall become due they the said Trustees are hereby directed impowered and Authorized at any time between the acceptance of the said Bills of Exchange and the time of payment thereof to sell and dispose of any Quantity of the said Capital Stock that may be Necessary for the best price that can be had for the same thereby to raise Monies for the payment of the said Bills of Exchange

[The Commissioners to lock up in the Iron Chest The Bills of Credit by him received]
p. 669

And be it further Enacted that the said Bills of Credit so to be received in by the said Commissioner shall on his receipt thereof be Carefully Locked up in the Iron Chest in the said Office of which he shall have the Custody and Possession and be there kept until the meeting of Assembly which shall next happen after the said Twenty fifth day of December Seventeen hundred and Seventy seven aforesaid and the said Commissioner shall also keep a fair Regular and distinct Account of all Bills of Credit by him received and Bills of Exchange by him drawn as Commissioner aforesaid and for his care and trouble in the Execution of his duty he shall be paid by the Trustees aforesaid residing in London Fifty pounds

[The Commissioner's Salary]

Sterling and the said Commissioner shall also draw Bills of Exchange on the said Trustees residing in London in the manner and form before directed to the person who shall be employed and Act

[The Clerk's Salary]

as his Clerk as aforesaid for the sum of Thirty pounds Sterling and for the full reward and Satisfaction of the said Clerk which last mentioned Bills of Exchange shall be accepted and out of the produce of the Sales of a Sufficient Quantity of the said Capital stock

[To be paid by the Trustees]

paid as aforesaid and the said Commissioner shall lay before a

Committee of both houses of Assembly which shall be Appointed at the next meeting of Assembly after the said Twenty fifth day of December Seventeen hundred and Seventy seven the said Accounts by him to be kept as aforesaid as well as all other his proceedings in virtue of this Act for the View Inspection and Examination of the same Committee And as well the said Bills of Credit which shall be received in by the said Commissioner and by him Locked up in the said Iron Chest of which he shall have the Custody and Possession as any other of the said Bills of Credit that may remain in the other Chest not Exchanged for torn and defaced Bills shall be by the said Committee Counted burnt and Destroyed and when the said Bills of Credit shall be burnt and destroyed and the Trust herein before reposed in the Commissioner aforesaid shall be fully and faithfully executed the said Commissioner his heirs Ex.^{rs} Adm.^{rs} and Sureties shall be and for ever stand Absolutely exonerated and discharged from all Troubles Suits Costs damages and Charges whatsoever as Commissioner aforesaid or as Bondsmen or Sureties for the said Commissioner

And be it Further Enacted that such part of the Capital Stock of the Bank of England belonging to the Public of this Province which shall remain unsold and all Interest produce and Profit thereof shall be and remain the Property of the Public of this Province and shall be applied and disposed of as the General Assembly of this Province shall Direct and Appoint

And be it hereby Declared and Enacted that this present Act shall be taken and allowed as a public Act and all Judges Justices and other persons concerned are hereby required to take notice thereof as such without pleading the same Specially

And be it Further Enacted that all penalties and Forfeitures which shall be incurred and reserved under this Act shall be received by the Sheriff of the County wherein such recovery shall be made and be by such Sheriff paid into the hands of the Treasurer of the Shore whereon such Recovery shall happen and shall be applied and Disposed of as the General Assembly shall direct and appoint Provided always and it is the True intent and meaning of this Act that nothing herein contained shall Extend or be Construed or taken to make any Tender of the said Bills of Credit in discharge of any Contract whatsoever lawfull Except such Contracts as shall or may be made expressly and Specifically for or for the delivery of such Bills of Credit

Liber H. S.
No. 1

[The Commissioners to lay before a Committee of both Houses, his Accounts and Proceedings under this Act]

[All the Bills of Credit to be Counted, burnt and destroy'd by the Committee]

[Commissioner, after Execution of his Trust, to be discharged &c]

[Capital Stock, &c. remaining to be dispos'd of by The General Assembly]

[This Act to be deemed a Public Act]
p. 670

[Fines and Forfeitures under This Act, how to be dispos'd of]

[These Bills of Credit not a legal Tender except under an express Contract]

December 6th 1766
Read and Assented to
by the Lower House of
Assembly
Signed p Order
M Macnemara Cl Lo ho

{ On Behalf of the Right
Honourable the Lord
Proprietary of this Province
I will this be a Law
Hor.^o Sharpe }

Dec.r 6th 1766
Read and Assented to
by the Upper house of
Assembly
Signed by Order
U Scott Cl. Up. Ho.

the Great Seal
in Wax Appendt

No. 27 An Act To Enable the Commissioners of the Office for Emitting
 Liber H. S. Bills of Credit to purchase Stationary Ware Necessary for the
 No. 1 use of the Upper and Lower Houses of Assembly and for other
 purposes therein mentioned

[The Com- Be it Enacted by the Right Honourable the Lord Proprietary by
 missioners and with the Advice and Consent of his Lordships Governor and
 appointed by the upper and Lower Houses of Assembly and the Authority of
 the Act for the same That the Commissioners appointed by the Act for the
 The Pay- payment of the Public Claims for Emitting Bills of Credit and for
 ment of the other purposes therein mentioned shall and are hereby impowered
 Public to take Custody of all and every such Bill or Bills of Exchange with
 Claims, &c the protests belonging to this Province as have been returned or
 impowered shall during their Continuance in their Office be returned protested
 to receive by the Trustees in London which were Lately remitted on Account
 the Money of the Province to the said Trustees to be invested in Capital Stock
 on the of the Bank of England and to ask demand sue for and recover in
 Protested the names of the former Commissioners or Trustees who remitted
 Bills re- them or the survivors of them to the use of this Province all the
 turned by Money that is shall or may be due on such Protested Bill or Bills
 The of Exchange together with the damages thereon and out of the first
 Trustees] Money they shall receive thereon to Transmitt to some Merchant
 p. 671 in London the sum of Twenty five Pounds sterling with orders to
 lay out the same /deducting Commission and charges/ in one
 good Record Book and such Parchment Paper Ink Powder and
 Stationary Quills as the said Commissioners shall direct which said Stationary
 Ware shall be purchased and Shipped on the risque of the public
 of this Province and shall on its Arrival be to and for the use of
 the Upper and Lower Houses of Assembly of this Province to be
 expended in the Publick Business and the said Commissioners shall
 be entituled to receive a Commission of Five p Centum for their
 Trouble in negociating the said Protested Bills of Exchange in
 manner by this Act directed and shall be and are hereby impowered
 and Allowed to pay themselves such Commission or Satisfaction
 out of the Ballance of Cask now in y.^e repository in the paper
 Currency Office as p report of the Committee this Session of
 Assembly if sufficient if not the balance to retain out of the Money
 they shall receive on such Protested Bill or Bills of Exchange
 and the residue of such Money after such retainer and the Twenty
 five pounds aforesaid for the Stationary Ware to remit to the Trus-
 tees of this Province residing in London to be by them invested in
 Capital Stock of the Bank of England for the use of the Publick
 of this Province

[To remit 25l. Sterling thereof to the Trustees to be laid out in Stationary for the use of both Houses.]
 Money they shall receive thereon to Transmitt to some Merchant
 in London the sum of Twenty five Pounds sterling with orders to
 lay out the same /deducting Commission and charges/ in one
 good Record Book and such Parchment Paper Ink Powder and
 Stationary Quills as the said Commissioners shall direct which said Stationary
 Ware shall be purchased and Shipped on the risque of the public
 of this Province and shall on its Arrival be to and for the use of
 the Upper and Lower Houses of Assembly of this Province to be
 expended in the Publick Business and the said Commissioners shall
 be entituled to receive a Commission of Five p Centum for their
 Trouble in negociating the said Protested Bills of Exchange in
 manner by this Act directed and shall be and are hereby impowered
 and Allowed to pay themselves such Commission or Satisfaction
 out of the Ballance of Cask now in y.^e repository in the paper
 Currency Office as p report of the Committee this Session of
 Assembly if sufficient if not the balance to retain out of the Money
 they shall receive on such Protested Bill or Bills of Exchange
 and the residue of such Money after such retainer and the Twenty
 five pounds aforesaid for the Stationary Ware to remit to the Trus-
 tees of this Province residing in London to be by them invested in
 Capital Stock of the Bank of England for the use of the Publick
 of this Province

[Commis- sioners Salary 5 per centum]
 be entituled to receive a Commission of Five p Centum for their
 Trouble in negociating the said Protested Bills of Exchange in
 manner by this Act directed and shall be and are hereby impowered
 and Allowed to pay themselves such Commission or Satisfaction
 out of the Ballance of Cask now in y.^e repository in the paper
 Currency Office as p report of the Committee this Session of
 Assembly if sufficient if not the balance to retain out of the Money
 they shall receive on such Protested Bill or Bills of Exchange
 and the residue of such Money after such retainer and the Twenty
 five pounds aforesaid for the Stationary Ware to remit to the Trus-
 tees of this Province residing in London to be by them invested in
 Capital Stock of the Bank of England for the use of the Publick
 of this Province

[How to be paid]
 out of the Ballance of Cask now in y.^e repository in the paper
 Currency Office as p report of the Committee this Session of
 Assembly if sufficient if not the balance to retain out of the Money
 they shall receive on such Protested Bill or Bills of Exchange
 and the residue of such Money after such retainer and the Twenty
 five pounds aforesaid for the Stationary Ware to remit to the Trus-
 tees of this Province residing in London to be by them invested in
 Capital Stock of the Bank of England for the use of the Publick
 of this Province

[The Residue to be re- mitted to the Trustees]
 they shall receive on such Protested Bill or Bills of Exchange
 and the residue of such Money after such retainer and the Twenty
 five pounds aforesaid for the Stationary Ware to remit to the Trus-
 tees of this Province residing in London to be by them invested in
 Capital Stock of the Bank of England for the use of the Publick
 of this Province

[The Com- missioners to recover Sums of Money due to the Public under former Acts]
 And Whereas there are several sums of Money now due to the
 Publick of this Province which ought to have been paid into the
 hands of the Commissioners or Trustees for Emitting the Bills of
 Credit heretofore Established and sunk by Acts of Assembly

Be it therefore Enacted that the Commissioners to be appointed in pursuance of the first before mentioned Act of Assembly shall have full power and Authority and are hereby directed to sue for recover receive and Obtain all sums of Money which are still due to the public and ought to have been paid into the hands of the Commissioners or Trustees for Emitting Bills of Credit under the said former Acts in the same manner that those Commissioners or Trustees might have done which Moneys shall be invested in Bills of Exchange to be remitted to the Trustees aforesaid residing in London and to be by them invested in Bank Stock as aforesaid the said Commissioners retaining Five pounds p Centum for their Trouble in receiving and remitting the Moneys aforesaid

Liber H. S.
No. 1

[To remit
the same to
the Trus-
tees, &c]

[Commis-
sioner's
Salary]

December 6 th 1766	{	On behalf of the Right	{	Dec. ^r 6 th 1766
read and Assented to by the Lower House of Assembly		Honourable the Lord Proprietary of this Prov- ince I will this be a Law Hor. ^o Sharpe		Read and Assented to by the Upper house of Assembly
Signed p Order M Macnemara Cl Lo ho				Signed by Order U Scott Cl. Up. Ho.

the great Seal
in Wax Appendt

I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretary's Office of the Province of Maryland this Day personally appeared before Me the Subscriber one of the Right Honourable the Lord Proprietary of the Province of Maryland his Counsel of State and made Oath on the Holy Evangels of Almighty God that he carefully examined all the Laws contained in this Book from folio 613 to folio 671 with the Original Acts that passed the Great Seal.

Sworn to this 20th Day of April Anno Dom̃ 1767

Walter Dulany

SEAL The Seal of the Provincial Court is hereto affixed on
Behalf of Daniel Dulany Esquire Secretary of Maryland
p Reverdy Ghiselin Cl Prov :¹ Cur & Secy's Office

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, May 24-June 22, 1768.

Being the First Session of the Assembly Elected in

November-December, 1767

FREDERICK CALVERT, LORD BALTIMORE

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis, on Tuesday the 24th Day of May, in the Eighteenth Year of His Lordships Dominion, Anno Domini 1768

U. H. J.
Liber No. 36
1768
May 24
p. 370

Present

His Excellency Horatio Sharpe Esq.,^r Governor.

The Honble	{	Benjamin Tasker Esq., ^r	John Ridout Esq., ^r
		Benedict Calvert Esq., ^r	Walter Dulany Esq., ^r
		Daniel Dulany Esq., ^r	John Beale Bordley Esq., ^r

Mess.^{rs} Holliday and Worthington acquaint his Excellency that there are a Sufficient Number of Members met, to make an House, and wait His Excellencys Commands

John Ridout and Walter Dulany Esq.,^{rs} are sent to the Lower House to Administer the Oaths to the Government, appointed to be taken by Act of Assembly of this Province, to the several Members of that House, and Ordered that the Clerk of this House attend them, who Administered the several Oaths to the Members then present, and they all Subscribed the Oath of Abjuration and Test.

Benedict Calvert and Daniel Dulany Esq.,^{rs} are sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately

The Lower House attend, and His Excellency Orders them to return to their House, and make Choice of a Speaker

Mess.^{rs} Holliday and Ringgold, from the Lower House, acquaint His Excellency, that their House have made Choice of a Speaker.

Benedict Calvert and John Ridout Esq.,^{rs} are sent to the Lower House, to inform them that His Excellency requires their Attendance in the Upper House, immediately, to present their Speaker for his Approbation

The Lower House attend, and present Robert Lloyd Esq.,^r for their Speaker, with which Choice his Excellency declares Himself well pleased, and makes the following Speech
Gentlemen of the Upper and Lower Houses of Assembly

Since the last Session of Assembly, I have received Letters from Sir William Johnson, His Majestys Superintendent of Indian

U. H. J.
Liber No. 36
May 24

Affairs in this District of North America, relative to a Representation which had been made to him on behalf of the Maryland Indians, some of whom are, it seems, desirous to remove to Ossiningo, and be incorporated with the Six Nations, if they may be permitted to dispose of the Lands, which, by the Legislature of this Province, were heretofore appropriated to the Use of these Peoples Ancestors

p. 371

Together with Sir William's Letters, I shall communicate to you a Petition that hath been presented to me by several of those Indians, also the fullest information I have been able to get, concerning their Number and the Lands they Occupy, or Claim so that You may be better able to Judge what Compensation it will be reasonable to give for their Rights, should You think fit to repeal the Laws, by which they are at present restrained from Selling the Lands they Possess

As the Person, who is Authorized by Sir William Johnson, as well as by the Indians, to Act for them on this Occasion will wait here for the Result of your Deliberations, I must recommend this Business in the first place to your Consideration

Gentlemen

The frequent Disputes and great Confusion occasioned in this Province by the Loss of Boundaries, and the Variation of the Compass, are Matters well worthy your Notice, some remedy for so great an Evil is indisputably wanting, but it might, perhaps, be difficult to point out One adequate and unexceptionable, That a just and equitable Regard may be shewn to the Rights of all concerned the utmost Caution and Foresight, as well as the Strictest Impartiality, are requisite.

The Defects of our present Road Laws are obvious, and striking, You must be sensible what great Advantages would arise to the Community, from the Public Roads being made more direct, and kept constantly in Good Repair, I hope therefore You will take this Matter likewise into Consideration

I must also observe to You, Gentlemen, that an accurate Review of the Criminal Laws, made or introduced here, seems to be highly expedient, when it becomes a Question whether a Law is in force or not. A Tenderness towards Convicted Persons, they may not seem to deserve, Usually takes place, and, by that Circumstance, Encouragement is probably given to the Commission of Crimes. Let therefore some Criterion be Established so plain and explicit for determining what Criminal Laws are in force here, that all Doubts, on this Head, may in future be prevented.

Gentlemen of both House

The Proofs I have, on all Occasions, endeavoured to give of my Desire to promote the Welfare and Happiness of the People, over whom I have the Honour to preside, make it, I hope, unnecessary for me now to assure you, that you will always find me ready to

Concurr with You, in every proper Measure You can profess for the Public Good.

U. H. J.
Liber No. 36
May 24

Ordered that Daniel Dulany Walter Dulany and John Beale Bordley Esq.,^{rs} be a Committee to prepare an Address, in Answer to the Governors Speech

Adjourned until to Morrow Morning 10 of the Clock.

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Wednesday Morning 25th May 1768.

May 25

This House met again according to Adjournment

Present as Yesterday

Mess.,^{rs} Tilghman and Ward attend with M.^r John Goldsborough, a Member Elected for Talbot County, and M.^r William Baxter for Cecil County, to see them Qualified, who take the Oaths to the Government, appointed to be taken by Act of Assembly repeat and Subscribe the Abjuration and Test, and then withdraw.

Read and referred the Petition of Sundry Nanticoke Indians, recommended in His Excellencys Speech and sent by Daniel Dulany Esq.,^r together with Copies of Sundry Papers relative thereto, laid before this House by his Excellency the Governor.

Mess.,^{rs} Sullivane and Hayward, from the Lower House, acquaint his Excellency that their House hath made Choice of M.^r Turbott Wright for their Clerk, and hope for Excellencys Approbation, to whom his Excellency is pleased to declare that he approves of their Choice.

Mess.,^{rs} Sullivane and Allen attend with M.^r Turbot Wright, Clerk of the Lower House to see him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly, and Subscribes the Abjuration and Test, and also takes the usual Oath of Office, and then withdraws.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Thursday Morning 26th May 1768.

May 26

This House met again according to Adjournment.

Present as Yesterday

Mess.,^{rs} Ringgold and Tyler attend, with M.^r Francis Ware a Member Elected for Charles County, Mess.,^{rs} William Murdock and

U. H. J. Josias Beall for Prince Georges County, and Mess.^{rs} John Ridgely
 Liber No. 36 Robert Adair and John Moale for Baltimore County, to see them
 May 26 Qualified, who take the Oaths to the Government, appointed to be
 taken by Act of Assembly, repeat and Subscribe the Abjuration and
 Test, and then withdraw.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

p. 373 A Message from the Lower House by Mess.,^{rs} Worthington and
 Steele

By the Lower House of Assembly 26th May 1768.

May it please your Honours.

This House hath appointed M.,^r Ringgold, M.^r Dickinson, M.^r
 Steele, M.^r Worthington, and M.,^r Beall to join one or more of the
 Members of your House, as a Committee, to inspect the Accounts
 and Proceedings of the Commissioners, appointed by Virtue of the
 Act for the Payment of the Public Claims for Emitting Bills of
 Credit, and for other purposes therein mentioned

Signed by Order T: Wright Clk Lo: Ho:

Mess.,^{rs} Parran and Mackall attend, with Mess.,^{rs} Gant, and Gra-
 ham, Members Elected for Calvert County, to see them Qualified,
 who take the Oaths to the Government, appointed to be taken by
 Act of Assembly, repeat and Subscribe the Abjuration and Test,
 and then withdraw.

Mess.,^{rs} Gantt and Parran attend with M.^r John Eden, a Member
 Elected for Saint Marys County, to see him Qualified, who takes
 the Oaths to the Government, appointed to be taken by Act of As-
 sembly, repeats and Subscribes the Abjuration and Test, and then
 withdraws

Adjourned until to Morrow Morning 10 of the Clock

May 27

Friday Morning 27.th May 1768.

This House met again according to Adjournment

Present as Yesterday

Mess.,^{rs} Veazey and Baxter attend with M.^r Henry Baker, a
 Member Elected for Cecil County, to see him Qualified, who takes
 the Oaths to the Government, appointed to be taken by Act of
 Assembly, repeats and Subscribes the Abjuration and Test, and
 then withdraws

The following Message is sent by Benedict Calvert Esq.,^r
Gentlemen

U. H. J.
Liber No. 36
May 27

This House hath appointed Benedict Calvert and Walter Dulany Esq.,^{rs} to join the Members of your House, named by you for the purposes in your Message of Yesterday, by Mess.^{rs} Worthington and Steele

Signed by Order UScott Cl: Up: Ho:

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Wolstenholme Eden and Ware attend with M.^r Thomas Key, a Member Elected for Saint Marys County, and Mess.^{rs} Stoddart and Hanson for Charles County, to see them Qualified, who take the Oaths to the Government, appointed to be taken by Act of Assembly, repeat and Subscribe the Abjuration and Test, and then withdraw.

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 28.th May 1768.

This House met again according to Adjournment

p. 374
May 28

Present as Yesterday

His Excellency is pleased to communicate to this House the following Message

Gentlemen of the Upper House of Assembly.

You will observe by the Advertisement, herewith sent, what a horrid Piece of Villainy hath been perpetrated in Baltimore County, Application hath been made to me to grant my Pardon to One of the Offenders, in Case he shall discover the others, but as I conceive the Offer of a Reward would contribute, more Powerfully, to detect and bring to Justice the Villains concerned in this atrocious Offence, I recommend it to You to appropriate a Sum to that purpose, that it may be Notified in my Proclamation, I might observe to You, that it is not long since an Instance of a Similar nature happened in the same County, which evinces the Necessity of pursuing the most Vigorous Measures to bring such Villains to condign Punishment

Hor.,^o Sharpe

[May 28, 1768]

Advertisement Hunting Ridge May the 24.th 1768.

Whereas two Men broke into my House on Tuesday last, and, after rumaging below, went up Stairs into a Chamber, where my

U. H. J. Wife and a Young Lady were lying, whom they treated in a Shock-
 Liber No. 36 ing and most barbarous manner, first whetting their Knives before,
 May 28 them then Seizing them by the throats, with many Motions as if
 they would Murder them, except they would give their Money,
 and kept them in that Miserable Condition for four or five Hours,
 having wounded my Wife, in the Hand and the Young Lady very
 terribly in the Shoulder. I hereby Offer a Reward of Ten Pounds
 to any Person, not concerned in the Crime, that will discover the
 Authors, so as they may be brought to Justice, and to either of
 the two Persons who broke the House, I will give the Sum of Ten
 Pounds if he will Convict the other, provided that I can obtain his
 Excellencys Pardon for him

James Calder

It is hoped every honest Person will discover any Persons sus-
 pected, and send me Information, as I am determined to spare no
 Cost nor Trouble to bring the Villains to Justice, they had also the
 Impudence to stay till almost Sunrise, tho' both my Wife and the
 Young Lady saw some of the Servants belonging to the family
 up, yet they were afraid to call to them, for fear of instant Death,
 which the Villains often threatned if they made the least Noise

J: C

Benjamin Tasker Esq.,^r, attended by the Members of this House,
 presents to His Excellency their Address which follows in these
 Words.

To His Excellency Horatio Sharpe Esq.,^r Governor and Com-
 mander in Chief in and over the Province of Maryland

p. 375 The Humble Address of the Upper House of Assembly
 May it please your Excellency

We his Masjestys Dutiful and Loyal Subjects, the Upper House
 of Assembly of the Province of Maryland, beg your Excellency to
 accept Our Thanks for your Speech at the opening of this Session

The Letters from Sir William Johnson, and the Petition from
 the Maryland Indians, which your Excellency hath been pleased
 to lay before Us, shall be duly Considered, and you may depend
 on our giving that Business all the Dispatch in Our Power

The frequent Disputes and great Confusion occasioned in this
 Province by the Loss of Boundaries, and the Variation of the
 Compass, deserve the most Serious attention of the Legislature,
 and Your Excellency is intitled to Our most grateful Acknowledge-
 ments for recommending to our Consideration Objects of so
 much Importance. Any measure which may contribute to the
 removal and prevention of such great Evils will meet with Our
 Chearful Concurrence

As we are very sensible of the Defects of Our present Road

Laws, and how much it would redound to the Advantage of the Community, if the Public Roads were made more direct, and kept in Constant Repair, your Excellency may be assured we shall co-operate heartily in any Regulation for this Salutory purpose

U. H. J.
Liber No. 36
May 28

The uncertainty of Our Criminal Laws requires an accurate Review, and we agree with Your Excellency, that some precise and explicit Criterion should be established, to prevent all Doubts in determining what Criminal Laws are in force here

The ample Proofs your Excellency has given, on all Occasions, of your Zeal to promote the Welfare and Happiness of the People of this Province, afford Us the firmest Confidence that Your Excellency will Concur, in every proper Measure that can be proposed for the Public Good

28th May 1768.

Benj: Tasker Presid.^t

Adjourned until Monday Morning 10 of the Clock

Monday Morning 30th May 1768.

May 30

The House met again according to Adjournment

Present.

The Hon ^{ble}	{	Benjamin Tasker Esq., ^r	John Ridout Esq., ^r
		Samuel Chamberlaine Esq., ^r	Walter Dulany Esq., ^r
		Benedict Calvert Esq., ^r	John Beale Bordley
		Daniel Dulany Esq., ^r	Esq., ^r

Mess.^{rs} Smallwood and Ware attend, with M.^r Joseph Hanson Harrison, a Member Elected for Charles County, to see him Qualified, who takes the Oaths to the Government appointed to be taken by Act of Assembly, repeats and Subscribes the Abjuration and Test, and then withdraws

p. 376

His Excellency is pleased to Communicate to this House his Answer to their Address, which follows in these Words
Gentlemen of the Upper House of Assembly.

I return you thanks for your Polite Address; the Assurances you are pleased to give me leave no room to Doubt, but you will be always ready to co-operate and concur with the Gentlemen of the Lower House in every Measure calculated to promote the true Interest of this Province

Hor^o Sharpe

Read and referred the Petitions of Ann Catharine Green, John McPherson, Sundry Inhabitants of Kent County, The Vestry of Chester Parish, and the Petition of Sundry Inhabitants of Chester Town, Sent by John Beale Bordley Esq.,^r

Adjourned until 3 of the Clock in the Afternoon

U. H. J.
Liber No. 36
May 30

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read and referred the Petition of Sundry Inhabitants of Cecil County praying a Removal of their Court House to Charles Town. Sent by Walter Dulany Esq.,^r

Read and referred the Petition of Sundry Inhabitants of Baltimore County praying a Removal of their Court House to Baltimore Town Sent by John Ridout Esq.,^r

Read the Petition of Samuel Cookson of Baltimore County and Ordered that the Petitioner have Notice to produce Evidence of the truth of the facts set forth in said Petition

Read the Petition of Henry Darnall Jun.^r Robert Darnall, Rachell Darnall and Mary Darnall, and Ordered that the Clerk give Notice To the Petitioners that this House will hear Council, on Wednesday Morning 10 of the Clock, in Support of the said Petition if the Petitioners desire it.

Adjourned until to Morrow Morning 10 of the Clock

May 31

Tuesday Morning 31st May 1768.

This House met again according to Adjournment

Present as Yesterday and Col.,^o Hammond.

Read and rejected the Petitions of John Doncastle, and Mayberry Helmes Jun.,^r

Read and referred the Petition of Robert Henwood.

Sent by John Beale Bordley Esq.,^r

Read and rejected the Petition of William Harris of Calvert County, it being the Opinion of this House that the Interposition of the Legislature is unnecessary

p. 377 A Bill, by Mess.,^{rs} Hayward and Johnson, Entitled An Act for the Adjournment and Continuance of Talbot, Baltimore and Cecil County Courts.

Read the first and second time in the Lower House and will Pass.

Read the first and second time by an Especial Order in this House and will Pass, so Endorsed and sent by John Beale Bordley Esq.,^r

Read and rejected the Petition of Sundry Inhabitants of Somerset and Worcester Counties for laying out a Town at the Head of Wiccomico River

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

U. H. J.
Liber No. 36
May 31

Present as in Morning

On Motion made, by Daniel Dulany Esq.,^r, Leave is given to bring in a Bill for the Recovery of certain Amercements, and also upon Defaults on Execution

Mess.^{rs} Holliday and Bordley bring, from the Lower House, an Engrossed Bill Entitled An Act for the Adjournment and Continuance of Talbot, Baltimore, and Cecil County Courts.

Read and assented to by the Lower House of Assembly.

Read and assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Endorsed sent by Benedict Calvert Esq.^r

Ordered that no Private Petition shall Pass this House unless the facts therein set forth be fully proved.

The Clerk of this House is directed to give a Copy of the above Order to the Printers, that it may be published in the next Gazettee

Adjourned until to Morrow Morning 10 of the Clock

Wednesday Morning 1.st June 1768.

June 1

This House met again according to Adjournment

Present as Yesterday

Mess.,^{rs} Allen and Purnell attend, with M.^r Parker Selby, a Member Elected for Worcester County, to see him Qualified, who takes the Oaths to the Government, appointed to be taken by Act of Assembly, Repeats and Subscribes the Abjuration and Test, and then withdraws.

Read and referred the Petition of the Vestry and Inhabitants of Stepney Parish, in Somerset and Worcester Counties.

Sent by John Ridout Esq.,^r

Read, the second time, the Petition of Henry Darnall Robert Darnall Rachel Darnall and Mary Darnall, Heard Robert Goldsborough Esq.,^r as Council in Support of the said Petition, the Consideration of which is Postponed until to Morrow Morning

Adjourned until 3 of the Clock in the Afternoon.

Eodem Die Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning.

Read and referred the Petition of Spedding Bromwell, & Edward Bromwell of Talbot County the Petition of Sundry Inhabitants of

U. H. J. Dorchester County, praying the Erection of a new Warehouse, and
Liber No. 36 the Petition of Elizabeth Walls.
June 1

Sent by Samuel Chamberlaine Esq.,^r

Adjourned until to Morrow Morning 10 of the Clock

June 2

Thursday Morning 2^d June 1768.

This House met again according to Adjournment

Present as Yesterday

Sent the following Message together with Copies of the Letters referred to, by S: Chamberlain Esq.,^r

By the Upper House of Assembly 2^d June 1768.

Gentlemen

We herewith send you Copies of two Letters, laid before this House by Samuel Chamberlaine Esq.,^r, Naval Officer of Oxford, and Col.^o Hammond Treasurer of the Western Shore, by the first, and the Endorsement thereon, you will see, that so long ago as the Year 1730; that Gentleman remitted to the late M.^r William Hunt, Merchant in London, Bills of Exchange for £381..18..10. Sterling, the same being a Balance, then due to this Province from the Estate of Robert Ungle Esq.,^r, and by the second to Col.^o Hammond, that there is a further Sum of £93..8..0 due to this Province from M.^r William Hunts Estate, which, it seems, was remitted by him many years ago, both which Sums Cap.^t Thomas Hunt, Brother and Executor of the late M.,^r William Hunt, is ready and willing to pay to any Person that may be legally Authorized to receive the same.

Signed by Order UScott Cl: Up: Ho:

Sir

London 16.th June 1767.

I am sorry to acquaint You with the Death of my late Brother William Hunt, who Died 27.,th of April last, leaving me his Sole Executor, in Consequence thereof his Affairs comes under my Care

I find by his Books, that his Estate is indebted to the Province of Maryland £381..18..10, being the amount of your own two Bills remitted to him upon that Account This being Money belonging to the Public, consequently must be at the disposal of your Assembly, you must therefore send me their Act empowering you to draw on me for that sum, on Your Complying with this request, and giving me due Advice of such Bills as you may draw, you may then depend on their Meeting with due Honor from

Sir

Your most hble Servant.

Tho^s Hunt.

To Samuel Chamberlaine Esq.,^r

On the back of the above Letter is the following Endorsement
Viz.,^t

U. H. J.
Liber No. 36
June 2

M.^r John Hunt of London Letter to S: C. 16.th June 1767. pur-
porting there is due to the Province of Maryland, by his Brother
William Hunts Books £381..18..10, which was remitted by S C. to
M.^r Hunt in two Bills of Exchange, by Order of the Lower House
of Assembly, 30.th June 1730, to M.^{rs} Frances Ungle Administratrix
of Robert Ungle Esq.^r, late Treasurer of the Eastern Shore, the
said Sum appeared by M.^r Ungles Books to be due from him as
Treasurer of the Eastern Shore, for Duties on Negroes and Irish
Servants, in his hands, the Bills remitted to M.^r Hunt were my own
on M.^r Hanbury for £150. and another on M.^r Samuel Hyde for
£231..18..10., M.^r Hunts Receipt for both was Communicated to
the Lower House and I suppose entered on their Journal.

Sam: Chamberlaine

Sir

I am sorry to acquaint you with the Death of my late Brother
William Hunt Esq.,^r, who departed this Life the 27.th April last.
His Affairs now come under my Care as his Executor.

I do not find that he received any Letter from you, since his last
of the 2^d April 1761. wherein he inclosed Your Account Current as
Treasurer of the Western Shore, and the Balance then due to the
Publick from his was £93..8..0, the same Ballance now remains due
from his Estate, which I am ready at all times to pay on sending me
the Usual Orders of Your Assembly for that Purpose, and when-
ever You Draw any Bill or Bills on me, fail not to give due Advice
thereof to.

Sir

Your most humble Servant

Tho.,^s Hunt.

To Charles Hammond Esq.,^r
Treasurer of the Western
Shore Maryland.

Read and rejected the Petition of John Scarborough

Read and referred the Petition of Joseph Scott, and Sent by
Samuel Chamberlaine Esq.,^r

On resuming the Consideration of the Petition of Henry Darnall
Jun.^r Rachel Darnall Robert Darnall and Mary Darnall which is
as followeth.

To His Excellency Horatio Sharpe Esq.,^r Governor and to the Hon-
ourable the Upper and Lower Houses of Assembly of Maryland.

The Humble Petition of Henry Darnall Junior, of Rachel Darnall
Wife to the said Henry Darnall Junior, of Mary Darnall aged Nine-

U. H. J. teen Years, Daughter of the aforesaid Henry Darnall Junior and
 Liber No. 36 Rachel Darnall, and of Robert Darnall Uncle to the aforesaid Mary
 June 2 Darnall.

Sheweth

p. 380 That an Advantageous offer of Marriage hath been made to the aforesaid Mary Darnall, and the Sum of three hundred Pounds Sterling a Year is proposed to be settled on the said Mary Darnall, during her natural Life in Lieu, and in Bar of Dower, and the Right she may have to the third part of the Personal Estate, which Settlement your Petitioners approve of, judging it to be for the Benefit of the said Mary, and are willing to execute the same on their parts, but Whereas the Petitioners are informed, that a Settlement to Bar the said Marys Claim of Dower in the Lands, and the Share she might Claim of the Personal Estate, cannot be made effectual and binding in the Law upon the said Mary, she being yet an Infant under the Age of Twenty One Years, And as the Marriage aforesaid is deferred on Account of the apprehended invalidity of the Settlement, intended to be made should it be executed at this time.

Your Petitioners thereof humbly pray, that, in Order to remove all Doubts, about the force and validity of such a Settlement, A Bill may be brought in and passed into a Law, to impower the said Mary Darnall, by and with the Advice of your Petitioners, to enter into and assent to the aforesaid Marriage Settlement, or Articles for the Securing the said Jointure to the said Mary, and in bar of her Right of Dower, and the Share She might Claim of the personal Estate, by the Law or Usage of this Province

And that the said Settlement or Marriage Articles be made, to all Intents and purposes, as binding upon the said Mary Darnall, and of as full force and Virtue in Law as if she were of full Age.

And your Petitioners as in Duty bound will pray &c.^a

Henry Darnall Junior
 Robert Darnall
 Rachel Darnall
 Mary Darnall.

And the Question being put whether it should pass and be referred to the Lower House, it was determined in the Affirmative, but Daniel Dulany Esq.^r declared, that tho' he thought the Provision proposed, in respect of the Annual Sum to be Settled was unexceptionable and even liberal, He was against the Question, because it is a Standing Rule of this House not to pass Acts in Consequence of private Petitions, where the remedy or purpose sought is sufficiently provided for by the general existing Laws, and he conceived, that, under the Statute of 27,th Henry the 8,th and one Act of 1715, a Jointure properly made upon a Young Lady of Miss Darnall the Petitioners Age, Viz.^t between 19 and 20., would clearly bar her

of her Dower, and that it is in the Power of an Husband to Dispose of his Personal Estate by Deed framed for such purpose, or by Will in what Manner he thinks proper, the Act of 1715 extending only to the particular Case therein expressed, the Happening whereof may be prevented by Deed or Will, and that Settlements had been made on Fem[m]e Minors under 21 Years of Age, which, tho' have been hitherto deemed to be valid, may unless great Care be taken, be affected by a particular Interposition of the Legislature, either on the Ground of its being necessary, or Proper.

U. H. J.
Liber No. 36
June 2

p. 381

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 3.^d June 1768.

June 3

This House met again according to Adjournment

Present as Yesterday.

Read and rejected the Petition of William Otterbine.

Daniel Dulany Esq.,^r brings in a Bill, Entitled An Act for Recovery of certain Amercements and also upon Defaults on Execution, which was read the first time, and Ordered to lye on the Table

A Bill from the Lower House by Mess.,^{rs} Goldsborough and Johnson Entitled An Act to enable Mary Darnall, an Infant, to enter into and accept a Marriage Settlement and Agreement.

Read the first and second time in the Lower House and will Pass. and will Pass,

Read the first and second time by an especial Order in this House and will Pass, so Endorsed and sent by John Ridout Esq.^r

Read and rejected the Petition of Elizabeth Williams

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Saturday Morning 4.,th June 1768.

June 4

This House met again according to Adjournment

Present as Yesterday except Col.,^o Hammond.

U. H. J. Read and rejected the Petition of Sundry Inhabitants of Baltimore
 Liber No. 36 County for laying out a Town
 June 4

An Engrossed Bill from the Lower House by Mess.,^{rs} Hall and Holliday Entitled An Act to enable Mary Darnall, an Infant, to enter into and accept a Marriage Settlement and Agreement.

Read and assented to by the Lower House of Assembly.

Read and assented to by this House and Ordered to be so Subscribed, the Paper Bill so Endorsed sent by John B: Bordley Esq.,^r

Read and referred the Petition of Thomas Harrison. Sent by John Ridout Esq.,^r

p. 382 Samuel Chamberlaine and Daniel Dulany Esq.,^{rs} are sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately, to see the Bills passed this Session receive the Assent.

The Lower House attend, and by their Speaker present to his Excellency the following Bills.

A Bill Entitled An Act for the Adjournment and Continuance of Talbot Baltimore and Cecil County Courts.

A Bill Entitled An Act to enable Mary Darnall, an Infant, to enter into and accept a Marriage Settlement and Agreement.

Both which his Excellency passed into Laws, in the usual form, by sealing them with the Right honourable the Lord Proprietary his great Seal at Arms, and Subscribing them, on behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Read and referred the Petition of Robert Darnall and Wife, Henry Steele and Wife, and John Henry and Wife sent by Daniel Dulany Esq.,^r

Adjourned until Monday Morning 10 of the Clock

June 6

Monday Morning 6,th June 1768.

This House met again according to Adjournment

Present

The Hon ^{ble}	{	Benjamin Tasker Esq., ^r	Daniel Dulany Esq., ^r
		Samuel Chamberlaine Esq., ^r	John Ridout Esq., ^r
		Charles Hammond Esq., ^r	Walter Dulany Esq., ^r
		Benedict Calvert Esq., ^r	John Beale Bordley Esq., ^r

Read and referred the Petition of Thomas Jenings, and also the Petition of Robert Lamar. Sent by Walter Dulany Esq.,^r

U. H. J.
Liber No. 36
June 6

Read the second time, in this House, the Bill Entitled An Act for Recovery of certain Amercements, and also upon Defaults on Execution. so Endorsed and sent by Daniel Dulany Esq.,^r

A Bill, by Mess.,^{rs} Hanson and Sulivane, Entitled An Act to prevent the Exportation of Flour, Staves, and Shingles, not Merchantable, from the Town of Baltimore, in Baltimore County, and to regulate the Weight of Hay, and Measure of Grain, Salt, Flax Seed, and Firewood within the said Town.

Read the first and Second time in the Lower House and will Pass.

Read the first time in this House and Ordered to lye on the Table

His Excellency is pleased to Communicate to this House the following Message

Gentlemen

p. 383

It having been represented to me, that Negro Daniel, a Slave of M.,^r James Adams, and Negro Phill belonging to M.^r Roger Adams, having been concerned in breaking open the Store of M.^r Clement Bailey on Nanticoke, were apprehended and Committed to the Custody of a Constable, in Order to be carried to Prison, that before he could Convey them thither, they made their Escape, and altho' many Attempts have been since made to take them, they still remain at large in the Neighbourhood, (being as is supposed countenanced and protected by some White People,) and threaten to burn the Houses of such Persons, as have been, or may be active in endeavouring to secure them, which threats have deterred many from exerting themselves. I submit it therefore to Your Consideration, whether it would not be a very proper step, on such Occasion, to offer a Reward for the Apprehending such Audacious Rogues, and if you approve of the Measure, I will by Proclamation offer such Reward as may be thought proper.

6.,th June 1768.

Hor.,^o Sharpe

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read and referred the Petition of Sundry Inhabitants of Baltimore County, against the Removal of the Court House. Sent by John Beale Bordley Esq.,^r

Adjourned until to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 36
June 7

Tuesday Morning 7.th June 1768.

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petition of Rachel Elizabeth and Mary Bacon. Sent by Bened.^t Calvert Esq.,^r

Read the Petition of M.^r John Paca of Baltimore County, on behalf of himself and Sundry Inhabitants of said County.

Ordered that Council will be heard thereon in this House, on Thursday the 16.,th of this Instant.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning.

p. 384 Mess.,^{rs} Hayward Dashiell Luckett and Cresap attend, with Mess.,^{rs} Levin Gale, and Samuel Wilson Members Elected for Somerset County, and M.^r Joseph Chaplin for Frederick County, to see them Qualified, who take the Oaths to the Government, appointed to be taken by Act of Assembly, repeat and Subscribe the Abjuration and Test, and then withdraw.

Read and referred the Petition of Cap.^t Richard Pearis, the Petition of the Visitors of Kent County Free School, and the Petition of Samuel Cookson of Baltimore County Sent by John Ridout Esq.,^r

Read and referred the Petitions of Charles Holt Flower, Thomas Cook, Ignatius Edwards, John Higdon, Clement Spalding, and Robert Huston, Languishing Prisoners in Saint Marys County Goal. the Petitions of Richard Day, Thomas Freeman, Richard Young, John Ruffe, David Wilkinson, and John Elwood Languishing Prisoners in Calvert County Goal. the Petitions of Peter Roby Presley Cochiell, Mark Lattimer, George Lovely, John Tallmage, Robert Wilson, Catharine McDonal, George Waple, John Wade, Grace Pilkington, William Hudson, John Lammond, Matthew Barnes, Joseph Nalley, John Luckett, Henry Miles, Elisha Harbin, Cornelius Maddox, Thomas Nalley, and John Gilmore Languishing Prisoners in Charles County Goal, the Petitions of Joseph Maccubbin, John Barry, Thomas Todd, and Thomas Town languishing Prisoners in Ann Arundel County Goal. the Petitions of Joseph White, and Benjamin Kidwell languishing Prisoners in Prince Georges County Goal. the Petitions of John Bain, Francis Harris, William Conhold, Thomas Day, Joseph Hayward, William Andrews, George Green, William Jones, John Clay, James Oliver, and Richard Treadwell Languishing Prisoners in Baltimore County

Goal. the Petitions of William Banks Walls, John Metcalf, John Row, Josias Talburt, John Alexander Brown, Christian Shock, John Weaver, William Drown, Alexander Crawford, Richard Beall, Jacob Shaner, Robert Martin, John Ross Mullan, William Hilleary, John Waters, Frederick Clabough, Thomas Witten, George Henback and Thomas Davis languishing Prisoners in Frederick County Goal. the Petitions of Samuel Owens, Jonathan Martino, Thomas Philips, Moses Carter, Arthur Mackfall, and William Williams languishing Prisoners in Somerset County Goal. the Petitions of Stephen Bissell, Mitchell King, Thomas Butler, William Handcock, John Benson, Ezekiel Hosher, George Greer, Daniel Handcock, John Pennewell, Ezekiel Claywell, Joshua Wheeler, David McCluer, Solomon Smallwood, Jonathan Dye, John Baker, Philip Gutherie, Thomas Jones, Sarah Twiford, Christopher Godlove Schrogamer, and John Cornwall languishing Prisoners in Worcester County Goal, the Petitions of Edward Nunar, Nicholas Bowdle, Hezekiah McCetter, and Robert Parkinson languishing Prisoners in Dorchester County Goal. the Petitions of Richard Blackburn, Jackson Thomas, Davis, Robert Porter, and Nicholas Williams languishing Prisoners in Cecil County Goal. The Petitions of George Harrington, William Dockery, Joseph Nevil, Sarah Flynn, William Moore, William Horn, Thomas Farrell, Nathaniel King, and Joseph Harris languishing Prisoners in Queen Anns County Goal, the Petitions of Isaac Parsons, William Greenwood, Benjamin Steed, Robert Philips, John Briscoe, Patrick Drugan, and James Findley languishing Prisoners in Kent County Goal. Sent by Charles Hammond Esq.^r

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Liber No. 36
June 7

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A Bill from the Lower House, by Mess.^{rs} Wolstenholme and Eden, Entitled An Act to remedy the Inconveniencies arising from the Loss of some Proceedings in Saint Marys County Court.

Read the first and second time in the Lower House and will Pass.

Read the first time in this House, and Ordered to lye on the Table.

Adjourned until to Morrow Morning 10 of the Clock

Wednesday Morning 8.th June 1768.

June 8

This House met again according to Adjournment.

Present as Yesterday

Read the second time, in this House, the Bill Entitled An Act to remedy the Inconveniencies arising from the Loss of some Proceedings in Saint Marys County Court, and will Pass, so Endorsed and sent by Benedict Calvert Esq.,^r

U. H. J. M.,^r Benjamin Rogers having applied for Summons's on behalf
 Liber No. 36 of the Petitioners for the Removal of the Court House to Baltimore
 June 8 Town to require the Attendance of Col.^o William Young, Mess.^{rs}
 Corbin Lee, Daniel Chamier, William Aisquith, and William Cox
 /Miller/ at the Hearing of M.^r John Pacas Petition

Ordered that the Clerk issue Summons's as desired, which were
 Issued as follows

By the Upper House of Assembly 8.th June 1768.

To the Sheriff of Baltimore County

You are hereby required to Summons Col.^o William Young,
 Mess.^{rs} Corbin Lee, William Aisquith, and William Cox /Miller/,
 that, all Excuses set apart, they make their Personal Appearance
 before the said House, at Annapolis, on Thursday the 16th Day
 of this Instant June, to testify the truth of their Knowledge of
 sundry Facts set forth in a Petition depending before the said
 House, praying that the Court House may not be removed from
 Joppa to Baltimore Town

UScott Cl: Up. Ho:

By the Upper House of Assembly 8.th June 1768.

To M.,^r John Ensor Jun.^r Coroner in Baltimore County

You are hereby required to Summons Daniel Chamier Esq.^r,
 Sheriff of Baltimore County, that, all Excuses set apart, he make
 his Personal Appearance before this House, at Annapolis, on
 Thursday the 16.th Day of this Instant June, to testify the Truth
 of his Knowledge of sundry Facts, set forth in a Petition, depend-
 ing before the said House, praying that the Court House may
 not be removed from Joppa to Baltimore Town

UScott Cl: Up: Ho:

p. 386 Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

June 9 Thursday Morning 9.th June 1768.

This House met again according to Adjournment

Present as Yesterday

Read and referred the Petition of Mary Philpot, Sent by John
 Ridout Esq.^r

Read the second time, in this House, the Bill Entitled An Act to prevent the Exportation of Flour, Staves, and Shingles not Merchandisable from the Town of Baltimore, in, Baltimore County, and to regulate the Weight of Hay, and Measure of Grain, Salt, Flaxseed, and firewood within the said Town, and will Pass so Endorsed and sent by John Beale Bordley Esq.,^r

U. H. J.
Liber No. 36
June 9

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

A Bill, from the Lower House, by Mess.,^{rs} Goldsborough and Graham, Entitled An Act for raising four pence Sterling on every Hogshead of Tobacco, exported out of this Province, for the Support of an Agent at London, for the Services of this Province.

Read the first and second time in the Lower House and will Pass.

Read the first time in this House and ordered to lye on the Table

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 10,th June 1768.

June 10

This House met again according to Adjournment.

Present as Yesterday

A Bill, from the Lower House, by Mess.,^{rs} Ridgely Moale and Adair, Entitled An Act for erecting a Court House and Public Prison, for Baltimore County, in the Town of Baltimore, and for making Sale of the Old Court House, and Prison.

Read the first and second time, in the Lower House, and will Pass.

Read the first time in this House and Ordered to lye on the Table

A Bill by Mess.,^{rs} Worthington and Chase Entitled An Act for turning part of a Street, called East Street, in the City of Annapolis, and for confirming the Title of Tho.^s Jenings Esq.^r to a Lott of Ground thereon.

Read the first and second time in the Lower House and will Pass.

Read the first and second time, by an Especial Order, in this House and will Pass, so Endorsed and sent by John Ridout Esq.^r

A Bill from the Lower House, by Mess.,^{rs} Murdock and five others, Entitled An Act to promote and forward the Appeal, now

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U. H. J. depending before His Majesty in Council, on behalf of the People
 Liber No. 36 of this Province.
 June 10

Read the first and second time in the Lower House and will Pass.

Read the first time in this House and Ordered to lye on the Table

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Read and rejected the Petition of George Frasier Hawkins

Adjourned until to Morrow Morning 10 of the Clock

June 11

Saturday Morning 11.th June 1768.

This House met again according to Adjournment.

Present as Yesterday

A Bill, from the Lower House by Mess.,^{rs} Allen and Gale, Entitled An Act for granting to the Nanticoke Indians a Compensation for their Lands therein mentioned

A Bill, by Mess.^{rs} Baker and Césap, Entitled An Act to prevent any Obstruction of the Navigation in the River Potowmack

A Bill, Entitled An Act for the Preservation of the Breed of Fish.

These three Bills Read the first and second time in the Lower House and will Pass.

Read the first time in this House and Ordered to lye on the Table.

A Bill, Entitled An Act for Recovery of certain Amercements, and also upon Defaults on Execution.

Read the first and second time in the Lower House and will Pass with the following Amendments.

“Provided always that in all Actions of Trespass upon the Case where no Declaration shall be sent with the Writ, expressing the true Cause of Action, the Sheriff or Coroner shall not be Amerced, upon such Writ, above the sum of Eight Thousand Pounds of Tobacco, and that the Judgment for such Amercement, shall be Absolute without any Assignment of the Cause of Action to be offered or tendered to the said Coroner

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

U. H. J.
Liber No. 36
June 11

Present as in the Morning

Read and referred the Petition of Henry Casson and Company,
Also the Petition of the Vestry and Sundry Inhabitants of Saint
Johns Parish, in Queen Anns County Sent by Walter Dulany Esq.,^r
Adjourned until Monday Morning 10 of the Clock

Monday Morning 13.th June 1768

June 13

This House met again according to Adjournment.

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Present

The Hon ^{ble}	{	Benjamin Tasker Esq., ^r	Daniel Dulany Esq., ^r
		Cha. ^s Hammond Esq., ^r	John Ridout Esq. ^r
		Sam. ¹ Chamberlaine Esq. ^r	Walter Dulany Esq. ^r
		Benedict Calvert Esq., ^r	John Beale Bordley Esq. ^r

Read and referred the Petitions of the following Prisoners, Viz.^t
Edward Power, Benjamin Buckler, Clement Spalding, John Dart,
and Alexander Anderson of Saint Marys County, and John Long
of Baltimore County Sent by Sam.¹ Chamberlaine Esq.,^r

Read the second time, in this House, the Bill Entitled An Act
for the Preservation of the Breed of Fish, and will Pass

Also read the second time in this House the Bill Entitled An
Act to prevent any Obstructions of the Navigation of the River
Potowmack, and will Pass with the following Amendments. After
"Fish Dams," in the fifth line from the top of the first Page leave
out the Words "and other Erections already made or hereafter to
be made" and insert in place thereof "or other Devices for catching
of Fish already or hereafter to be made, and all other Erections
hereafter to be made." In the fifth line of the second Page from
the top leave out the Words "Use of the Public School in Fred-
erick County" and insert in place thereof the Words "be paid to
the Sheriff of Frederick County to be by him Accounted for and
paid to the Justices of said County and by them applied towards
clearing or improving the Navigation of the said Rivers."

After the last enacting Clause, add the following Proviso "Pro-
vided always that this Act, or any thing therein contained, shall not
hinder, or be construed to hinder, or prevent the erecting, or causing
to be erected any Bridge, or Bridges, over the said River Monocasy,
with convenient Arches for admitting of Boats, and other Vessells
of Burthen, passing thro' the same, with the least Obstruction that
may be" these sent by Benedict Calvert Esq.^r

Adjourned until 3 of the Clock in the Afternoon

U. H. J.
Liber No. 36
June 13

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Read and referred the Petition of the Inhabitants of Saint Johns Parish in Queen Anns County Sent by Sam.¹ Chamberlaine Esq.^r

Adjourned until to Morrow Morning 10 of the Clock

June 14

Tuesday Morning 14.th June 1768.

This House met again according to Adjournment.

Present as Yesterday

Mess.,^{rs} Buchanan and Bordley from the Lower House bring up the following Bills

p. 389 A Bill Entitled a Supplementary Act to the Act Entitled An Act for erecting a new Parish in Kent County, called Chester Parish, and for building a Parish Church, and enlarging a Chapel of Ease within the said Parish

Read the first and second time in the Lower House and will Pass.

Read the first time in this House, and Ordered to lye on the Table

A Bill Entitled an Act reviving and continuing an Act, Entitled An Act to Establish a Market at the Market House in Chester Town, in Kent County, and for the regulation of the said Market.

A Bill Entitled An Act to prohibit raising of Swine and Geese in George Town in Kent County, and in Snow hill Town, in Worcester County.

Mess.,^{rs} Allen and Selby bring up the two following Bills. A Bill Entitled An Act to empower the Justices of Somerset and Worcester Counties, to levy on the Taxable Inhabitants of Stepney Parish, in Somerset and Worcester Counties, the Quantity of One hundred and Sixty Thousand Pounds of Tobacco, for the Uses therein mentioned

A Bill Entitled An Act for the Relief of Joseph Scott of Worcester County

These four last Bills Read the first and second time in the Lower House, and will Pass

Read the first and second time, by an Especial Order, in this House, and will Pass. So Endorsed and sent by John Beale Bordley Esq.,^r

Mess.,^{rs} Jenings and Lucket bring up a Bill, Entitled An Act appointing new Visitors for the Public School in Frederick County, and for other purposes therein mentioned

Read the first and second time in the Lower House, and will
Pass

U. H. J.
Liber No. 36
June 14

Read the first time, in this House, and Ordered to lye on the
Table

Read and referred the Petition of David Covenever, and also the
Petition of the Rector and Vestry of Saint Anns Parish

Mess.^{rs} Beall and Buchanan bring up a Bill, Entitled An Act for
the better regulating the Office of Sheriff, and further Advancement
of Justice within this Province

Read the first and second time, in the Lower House, and will
Pass

Read the first time in this House and Ordered to lye on the
Table

Mess.^{rs} Wilson and Harrison bring up a Bill, Entitled An Act
for the security of Purchasers and others, being Protestants, claim-
ing by or from Aliens

Read the first and second time in the Lower House and will
Pass.

Read the first time, in this House, and Ordered to lye on the
Table

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Mess.^{rs} Gantt and Ward bring the Ingrossed Bill, Read and
assented to by the Lower House, of Assembly, Entitled An Act to
remedy the Inconveniencies, arising from the Loss of some Pro-
ceedings in Saint Marys County Court.

Read the second time, in this House, the Bill Entitled An Act
for granting to the Nanticoke Indians a Compensation for the Lands
therein mentioned. so Endorsed and sent by John Ridout Esq.,^r

Adjourned until to Morrow Morning 10 of the Clock

Wednesday Morning 15.th June 1768

June 15

This House met again according to Adjournment.

Present as Yesterday.

Read the second time, in this House the Bill Entitled A Supple-
mentary Act to the Act Entitled An Act for erecting a New Parish
in Kent County, called Chester Parish, and for building a Parish
Church, and enlarging a Chapel of Ease within the said Parish, and

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June 15

will Pass with the following Amendments. In the seventh line from the top of the second Page Strike out the Words "a long square" and insert in place thereof the Words "Part of"

After the Word "Chapel" in the Ninth line from the top of the third Page insert the Words Viz.^t "or to sue for and recover such Monies in Case any of the Subscribers should Neglect or refuse to pay the Sums Subscribed by them respectively"

In the seventh line of the fourth Page from the top Strike out the Word "Generously" and insert the Word "Piously"

Read the second time the Bill Entitled An Act appointing new Visitors for the Public School in Frederick County and for other purposes therein mentioned, and will Pass, so Endorsed, These two Bills sent by John Beale Bordley Esq.,^r

Read the second time, in this House, the Bill Entitled An Act for the better Regulating the Office of Sheriff, and further Advancement of Justice within this Province, and will not Pass. Sent by Daniel Dulany Esq.,^r

Mess.,^{rs} Thomas and Bordley bring up the two following Engrossed Bills. Read and assented to by the Lower House of Assembly

A Bill Entitled An Act for the Preservation of the Breed of Fish.

A Bill Entitled An Act to prevent any Obstruction of the Navigation of the River Potowmack.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Mess.,^{rs} Thomas and Purnell bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

A Bill, Entitled An Act appointing new Visitors for the Public School in Frederick County, and for other purposes therein mentioned

A Bill Entitled An Act for granting to the Nanticoke Indians a Compensation for the Lands therein mentioned

p. 391 Adjourned until to Morrow Morning 10 of the Clock.

June 16

Thursday Morning 16th June 1768

This House met again according to Adjournment.

Present as Yesterday

Mess.,^{rs} Johnson and Allen bring up a Bill, Entitled An Additional Supplementary Act to the Act Entitled An Act for the

Establishment of Religious Worship within this Province, according to the Church of England, and for the Maintenance of Ministers.

U. H. J.
Liber No. 36
June 16

Read the first and second time in the Lower House and will Pass.

Read the first time in this House and Ordered to lye on the Table

The following Message, together with the Bill Entitled An Act for Recovery of certain Amercements, and also upon Defaults on Execution, is sent by Walter Dulany Esq.,^r

By the Upper House of Assembly 16.th June 1768.

Gentlemen

The Amendment You have proposed to the Bill, Entitled An Act for Recovery of certain Amercements, and also upon Defaults on Execution, we are Apprehensive might, if adopted, be productive of some Inconvenience, and therefore are desirous to have it passed into a Law according to its Original Frame

A Sheriff, amerced to the Extent of a Bail Bond, and compelled to pay that sum, would we apprehend be intitled to Recover it against the Defendant, and his Sureties, but we do not perceive, if a new Writ should be issued against the Defendant, before the Sheriffs Receipt from the Debtors, how the Original Plaintiff would be hindered from recovering, at Law, the whole Debt due on his Contract, and if any Method could be fallen upon, by which the Defendant might intitle himself to Credit, for the sum of the Forfeited Bond, yet, if the Plaintiffs Demand should be in Money, Sterling, or Current, inasmuch as the worth of Tobacco is fluctuating, and the comparative Value between that Commodity and Money is not Established, it might frequently be a Question at what Sum in Money the Tobacco ought to be extended, in the Credit, and a Plaintiff might be Compelled to accept a Satisfaction, not only variant from his Contract, but Inconvenient to him to dispose of, in Order to raise his Money; under the Statute for the Amendment of the Law, and the Practice thereon, when an Assigned Bond is put in Suit, the Defendant, on Payment of the Costs is, we understand, admitted to appear, and plead to the Original Action, But of this Relief he might be deprived, in many Instances, by the Plaintiffs chusing to proceed to an Amercement of the Sheriff, rather than to take an Assignment of the Bail Bond, and the Sheriff, being thereby driven to seek a Satisfaction against the Principal and his Sureties. We, also, suspect that it might soon become the practice to proceed to an Amercement of the Sheriff, and leave him to put in Suit the Bail Bonds, because the sum might be more Easily obtained from the Sheriff on an Amercement, than on a Suit of this kind of Bond, which might frequently bring great Hardships upon

U. H. J. that Officer, without any Default or Misbehaviour on his part, by
 Liber No. 36 obliging him to advance to the extent of the Bail Bond, upon the
 June 16 Amercement and wait for a Reimbursement till he should be able to
 compell a Satisfaction from the Obligor and his Sureties

Signed by Order U Scott Cl: Up: Ho:

The Order of the Day being Read, the Petition of John Paca on behalf of Himself and Sundry Inhabitants of Baltimore County was taken into Consideration, and the Parties being called in, the said Petition as also a Petition of Sundry Inhabitants of Baltimore County praying a Removal of the Court House from Joppa to Baltimore Town, a Counter Petition to the same, and a Petition from Sundry Inhabitants of Joppa were Read, after which the House proceeded to take the Testimony of Sundry Evidences, as to the Truth of the Facts set forth in the said Petitions.

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Mess.^{rs} Thomas and Selby bring up the following Bills, Read the first and second time in the Lower House and will Pass

A Bill Entitled a Supplementary Act to the Act Entitled An Act to Establish a Road from Hunting Creek, in Dorchester, to Dover in Talbot County

A Bill Entitled a Supplementary Act to the Act Entitled An Act to enable the Visitors of Kent County School, for the time being, to Lease out part of the Land belonging to the said School.

A Bill Entitled An Act confirming to Spedding Bromwell, of Talbot County, certain Lotts of Land therein mentioned.

A Bill Entitled An Act for the Relief of the Poor, within the several Counties therein mentioned

A Bill Entitled An Act to prevent the Evils arising from the Manumission of Slaves

These Bills Read the first time in this House and Ordered to lye on the Table

Mess.^{rs} Wilson and Buchanan, from the Lower House, bring up the Bill Entitled An Act for Recovery of certain Amercements, and also upon Defaults on Execution together with the following Message.

By the Lower House of Assembly 16th June 1768.

p. 393 May it please your Honours

In Answer to your Message of this Day, with the Bill, Entitled "An Act for the Recovery of certain Amercements, and also upon

Defaults on Execution" We agree to the Passage of that Bill, according to its Original Frame, tho with the Amendment we proposed the Bill would, in Our Opinion, have been more perfect

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June 16

Signed by Order T: Wright Cl: Lo: Ho:

Mess.^{rs} Ringgold and Baxter bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly.

A Bill Entitled a Supplementary Act to the Act Entitled an Act for erecting a new Parish in Kent County, called Chester Parish, and for building a Parish Church, and enlarging a Chapel of Ease within the said Parish.

A Bill Entitled An Act to empower the Justices of Somerset and Worcester Counties, to levy on the Taxable Inhabitants of Stepney Parish, in Somerset and Worcester Counties, the Quantity of One hundred and Sixty Thousand Pounds of Tobacco, for the Uses therein mentioned.

The House proceeded in taking the Testimony of Evidences, upon the Petition for and against the Removal of the Court House in Baltimore County, and heard Council for and against the said Removal.

Adjourned until to Morrow Morning 10 of the Clock

Friday Morning 17,th June 1768.

June 17

This House met again according to Adjournment.

Present as Yesterday

Read and referred the Petitions of Robert Dick, Richard Henderson, Daniel Stevenson, James Brown and Robert Peter, also the Petitions of Eleanor Duvall, John Marshall, and John Scrogin, Sent by Samuel Chamberlaine Esq.^r

A Bill, by Mess.^{rs} Hall and Gale, Entitled An Act for amending and declaring the Law in the Cases therein mentioned.

Read the first and second time in the Lower House and will Pass,

Read the first time in this House and Ordered to lye on the Table

Read the second time in this House the Bill Entitled An Act for the Security of Purchasers and others, being Protestants, Claiming by or from Aliens, and will Pass with the following Amendments Viz.^t Leave out the Words "being Protestants" in the Title and in the Tenth and Seventeenth lines and the Words "being a Protestant or Protestants" in the 24th line and in the 27,th and 28th lines and the Words "any Papist or Papists or" in the last line but two, and also in the last line but one, Sent by John Beale Bordley Esq.^r

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Liber No. 36
June 17
p. 394

Read the second time in this House the Bill Entitled A Supplementary Act to the Act Entitled an Act to establish a Road from Hunting Creek in Dorchester, to Dover in Talbot County, and will Pass

Also Read the second time the Bill Entitled a Supplementary Act to the Act Entitled An Act to enable the Visitors of Kent County School, for the time being, to Lease out part of the Land belonging to the said School and will Pass

And also Read the second time, the Bill Entitled An Act confirming to Spedding Bromwell, of Talbot County, certain Lotts of Land therein mentioned and will Pass. These Bills sent by John Beale Bordley Esq.,^r

Read and assented to by this House the Engrossed Bill, Entitled an Act for the Recovery of certain Amercements and also upon Defaults on Execution, Sent by Daniel Dulany Esq.,^r

Mess.^{rs} Allen and Selby bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

A Bill Entitled An Act for the Relief of Joseph Scott of Worcester County

A Bill Entitled An Act for reviving and continuing An Act, Entitled An Act to Establish a Market at the Market House in Chester Town, in Kent County, and for the Regulation of the said Market

A Bill Entitled An Act to prohibit raising of Swine and Geese in George Town, in Kent County, and in Snow Hill Town in Worcester County

Adjourned until 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment.

Present as in the Morning

The House proceeded in hearing Council on the Petitions of Yesterday, after which, Read the second time, the Bill, Entitled An Act for erecting a Court House and Public Prison for Baltimore County in the Town of Baltimore and for making Sale of the Old Court House and Prison, and will Pass, Sent by Samuel Chamberlaine Esq.,^r

Adjourned until to Morrow Morning 10 of the Clock

June 18

Saturday Morning 18.th June 1768.

This House met again according to Adjournment

Present as Yesterday except Col.^o Hammond & Samuel Chamberlaine Esq.,^r

Read and assented to, by this House, the following Engrossed Bills and Ordered to be so Subscribed, the Paper Bills so Endorsed Sent by Walter Dulany, Esq.^r U. H. J. Liber No. 36 June 18

A Bill Entitled An Act to remedy the Inconveniencies arising from the Loss of some Proceedings in Saint Marys County Court

A Bill Entitled An Act for the Preservation of the Breed of Fish.

A Bill Entitled An Act to prevent any Obstruction of the Navigation in the River Potowmack

A Bill Entitled An Act appointing new Visitors for the Public School in Frederick County, and for other Purposes therein mentioned. p. 395

A Bill Entitled a Supplementary Act to the Act Entitled an Act for erecting a new Parish in Kent County called Chester Parish, and for building a Parish Church, and Enlarging a Chapel of Ease within the said Parish

A Bill Entitled an Act for granting to the Nanticoke Indians a Compensation for the Lands therein mentioned.

A Bill Entitled An Act to empower the Justices of Somerset and Worcester Counties, to levy on the Taxable Inhabitants of Stepney Parish in Somerset and Worcester Counties the Quantity of One hundred and Sixty Thousand Pounds of Tobacco for the Uses therein mentioned.

A Bill Entitled An Act for the Relief of Joseph Scott of Worcester County.

A Bill Entitled An Act reviving and Continuing An Act Entitled An Act to Establish a Market at the Market House in Chester Town, in Kent County, and for the Regulation of the said Market

A Bill Entitled An Act to Prohibit raising of Swine and Geese in George Town in Kent County, and in Snow hill Town in Worcester County

Mess.,^{rs} Graham and Griffith bring up a Bill, Entitled An Act for Licensing Ordinary Keepers, Hawkers, Pedlars, and Petty Chapmen

Read the first and second time in the Lower House and will Pass,

Read the first time in this House and Ordered to lye on the Table

Mess.,^{rs} Cresap and Luckett bring up a Bill, Entitled An Act for the Adjournment and Continuance of Frederick County Court.

Read the first and second time in the Lower House and will Pass.

Read the first and second time, by an Especial Order, in this House, and will Pass. Sent by Walter Dulany Esq.,^r

U. H. J.
Liber No. 36
June 18

Mess.^{rs} Goldsborough and Johnson bring up the following Engrossed Bills, Read and assented to by the Lower House of Assembly

A Bill Entitled An Act for erecting a Court House and Publick Prison for Baltimore County, in the Town of Baltimore, and for making Sale of the Old Court House and Prison

A Bill Entitled An Act to prevent the Exportation of Flour, Staves, and Shingles not Merchantable, from the Town of Baltimore, in Baltimore County, and to Regulate the Weight of Hay, and Measure of Grain, Salt, Flax Seed, and fire wood within the said Town

Mess.^{rs} Hall and Chase bring up a Bill, Entitled An Act for the Speedy and Effectual Publication of the Laws of this Province, and for the Encouragement of Anne Catharine Green of the City of Annapolis, Printer,

Read the first and second time in the Lower House, and will Pass.

Read the first and second time, by an especial Order, in this House and will Pass. Sent by Walter Dulany Esq.,^r

p. 396 Read and assented to by this House the two following Engrossed Bills

A Bill Entitled An Act for erecting a Court House and Public Prison, for Baltimore County, in the Town of Baltimore, and for making Sale of the Old Court House and Prison

A Bill Entitled An Act to prevent the Exportation of Flour, Staves, and Shingles not Merchantable from the Town of Baltimore, in Baltimore County, and to Regulate the Weight of Hay, and Measure of Grain, Salt, Flax Seed, and firewood within the said Town. These two Paper Bills sent by John Beale Bordley Esq.,^r

Read the second time in this House the Bill Entitled An Act for amending and declaring the Law in the Cases therein mentioned and will Pass with the Annexed Amendments, so Endorsed and sent by John Beale Bordley Esq.,^r

In the last line of the first Page after the Word "Upwards" insert the following Words Viz.^t "or an Estate of Freehold as afore-said of the full Value of £50 Sterling at the least."

Strike out the first enacting Clause, in the third Page and the Proviso immediately following that Clause, and also the second enacting Clause in the said Page and at the End of the said Page insert the following Words Viz.^t "and also after the Dissolution of any Injunction of or from the Court of Chancery or the Discharge or Expiration of any Supersedeas on Appeal or any Writ of Error at any time within twelve Months after Dissolution of such Injunction or Discharge or Expiration of such Supersedeas"

In the 4.th Page leave out in the 6.th and 7.th lines the following

Words Viz.,^t "or as of any preceding Court according to the Agreement of the Parties and Terms of such Submission." In the 13.th line in the same Page leave out the Words "in the first Week of their Sitting" and in their stead insert the following Words Viz.,^t "within seven Days after such Award shall be produced in Court to the said Justices" In the 14.th line of the same Page after the Word "in" Insert the following Words Viz.,^t "or by Surprise Imposition or Deception of" and after the Word "Arbitrators" in the said Line insert the following Words Viz.,^t "or without due Notice to the Parties or their Attorney or Attornies." Leave out in the Fifth, what follows after the Word "Notwithstanding" in the said Page

U. H. J.
Liber No. 36
June 18

Leave out in the 2^d line of last enacting Clause, the words "and Execution thereupon had" and after the Word "Confession" in the 4.th line leave out what follows to the End, and add the following Proviso Viz.,^t "Provided always that nothing in this Act contained shall extend or be Construed to extend to Establish or in any manner affect any Judgment that hath been Entered on which any Writ of Error or Appeal hath been prosecuted or is now depending but that such Judgment shall be Considered in all respects as if this Act had not been made or be Construed to affect any Person or Persons that hath or have purchased any Lands Tenements, or Hereditaments bonafide and on good and Valuable Consideration but that such Purchaser or Purchasers shall be and remain in the same State Right and Condition as if this Act had not passed" And also the following Clause "This Act to continue for and during the Space of three Years and to the End of the next Session of Assembly which shall happen after the Expiration of the said three Years" p. 397

Mess.^{rs} Hayward and Lockett bring up the following Engrossed Bills, Read and assented to by the Lower House of Assembly.

A Bill Entitled An Act for the Adjournment and Continuance of Frederick County Court.

A Bill Entitled An Act confirming to Spedding Bromwell, of Talbot County, certain Lotts of Land therein mentioned. These two Bills Read and assented to by this House and Ordered to be so Subscribed, the Paper Bills, so Endorsed, sent by John Beale Bordley Esq.^r

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem.

This House met again according to Adjournment.

Present as in the Morning

Mess.^{rs} Graham and Hall bring up the following Engrossed Bills, Read and assented to by the Lower House of Assembly

U. H. J. A Bill Entitled An Act for the Speedy and effectual Publication
 Liber No. 36 of the Laws of this Province, and for the Encouragement of Ann
 June 18 Catharine Green, of the City of Annapolis, Printer.

A Bill Entitled a Supplementary Act to the Act Entitled An Act to establish a Road from Hunting Creek, in Dorchester, to Dover in Talbot County.

These Bills Read and assented to, by this House, and Ordered to be so Subscribed, the Paper Bills, so Endorsed, are sent by John Beale Bordley Esq.,^r

Read and referred the Petitions of William Ford and John Kennerly.

Read the second time in this House the Bill Entitled an Act to prevent the Evils arising from the Manumission of Slaves, and will Pass with the following Amendments, Sent by Benedict Calvert Esq.,^r

Leave out the first and second Proviso in the second Page, and the Word "and" before the third Proviso and the word "also" after the Word "Provided." Leave out the enacting Clause beginning at the third line from the bottom of the said Page Add after the third line in the last Page "Provided always that any Slave Committed as aforesaid shall on the Application of the Owner or Owners of such Slave or his or her Overseer or other Person appointed by him or her, be delivered by the Goaler to the said Owner or Owners or his or her Overseer or other Person appointed by him, or her, on Affidavit being made before some Justice of the Peace, and lodged with the said Goaler that such Slave did not depart and remain at large by and with the Consent and Permission of such Owner or Owners and also that before any Slave be sold in any Instance that the Owner or Owners of such Slave be Summoned to be and appear at the Court in which such Sale shall be made in Order that the Owner or Owners may shew Cause why such Slave should not be Sold and in any Case wherein it shall appear to the Justices on Examination of the Owner or Owners or otherwise that any Slave did not depart as aforesaid or remain at large by or with the Consent or Permission of the Owner or Owners of such Slave, then such Slave shall be delivered to the said Owner or Owners or his her or their Overseer or other Person appointed by him her or them"

In place of the words "to be applied as herein before is directed" insert the following Words Viz.^t "to be paid to the Visitors of the free School of that County for the Use of the said School"

This Act to continue for and during the Term of three Years and until the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

Mess.,^{rs} Wilson and Grahame bring up a Bill, Entitled An Act

for the Relief of certain Languishing Prisoners, in the several Goals therein mentioned.

U. H. J.
Liber No. 36
June 18

Read the first and second time in the Lower House, and will Pass.

Read the first time in this House and Ordered to lye on the Table

Benedict Calvert and John Ridout Esq.^{rs} are sent to acquaint the Lower House, that his Excellency requires their Attendance in the Upper House immediately, to see the Bills passed this Session receive the Assent.

The Lower House attend and by their Speaker present to his Excellency the following Bills

A Bill Entitled An Act to remedy the Inconveniencies arising from the Loss of some Proceedings in Saint Marys County Court.

A Bill Entitled An Act for the Preservation of the Breed of Fish.

A Bill Entitled An Act to prevent any Obstruction of the Navigation in the River Potowmac

A Bill Entitled An Act appointing new Visitors for the Publick School in Frederick County, and for other Purposes therein mentioned.

A Bill Entitled A Supplementary Act to the Act Entitled An Act for erecting a new Parish in Kent County, called Chester Parish, and for building a Parish Church, and enlarging a Chapel of Ease within the said Parish

A Bill Entitled An Act for granting to the Nanticoke Indians a Compensation for the Lands therein mentioned

A Bill Entitled An Act to empower the Justices of Somerset and Worcester Counties, to levy on the Taxable Inhabitants of Stepney Parish, in Somerset and Worcester Counties, the Quantity of One hundred and Sixty Thousand Pounds of Tobacco, for the Uses therein mentioned

A Bill Entitled An Act for Recovery of certain Amercements and also upon Defaults on Execution

A Bill Entitled An Act for the Relief of Joseph Scott of Worcester County. p. 399

A Bill Entitled An Act reviving and continuing An Act, Entitled An Act to Establish a Market, at the Market House in Chester Town, in Kent County, and for the Regulation of the said Market.

A Bill Entitled An Act to prohibit raising of Swine and Geese in George Town in Kent County, and in Snow hill Town in Worcester County

A Bill Entitled An Act for erecting a Court House and Public Prison, for Baltimore County, in the Town of Baltimore, and for making Sale of the Old Court House and Prison.

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A Bill Entitled An Act to prevent the Exportation of Flour, Slaves, and Shingles not Merchantable, from the Town of Baltimore, in Baltimore County, and to regulate the weight of Hay, and Measure of Grain, Salt, Flax Seed, and Firewood within the said Town

A Bill Entitled An Act for the Adjournment and Continuance of Frederick County Court.

A Bill Entitled An Act confirming to Spedding Bromwell, of Talbot County, certain Lotts of Land therein mentioned

A Bill Entitled An Act for the Speedy and Effectual Publication of the Laws of this Province, and for the Encouragement of Ann Catharine Green of the City of Annapolis, Printer

A Bill Entitled a Supplementary Act to the Act Entitled An Act to Establish a Road from Hunting Creek, in Dorchester, to Dover in Talbot County.

All which his Excellency passed into Laws in the usual form, by Sealing them with the Right honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, On behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law.

An Ingrossed Bill by Mess.^{rs} Buchanan and Bordley, Entitled a Supplementary Act to the Act to enable the Visitors of Kent County School, for the time being, to Lease out part of the Land belonging to the said School.

Read and assented to by the Lower House of Assembly

Read and assented to by this House, and Ordered to be so Subscribed, the Paper Bills Endorsed sent by

Mess.^{rs} Thomas and Purnell bring up a Bill Entitled An Act to give Thomas Harrison further time to effect the Removal of a Neusance in Baltimore Town, in Baltimore County

Read the first and second time in the Lower House, and will Pass.

Read the first time in this House and Ordered to lye on the Table

Adjourned until Monday Morning 10 of the Clock

June 20

Monday Morning 20.th June 1768.

This House met again according to Adjournment.

Present.

p. 400	The Honble {	Charles Hammond Esq. ^r	John Ridout Esq. ^r
		Benedict Calvert Esq. ^r	Walter Dulany Esq. ^r
		Daniel Dulany Esq. ^r	John Beale Bordley Esq.. ^r

Read the second time, in this House, the Bill, Entitled An Act to give Thomas Harrison further time to Effect the Removal of a Neusance in Baltimore Town in Baltimore County and will Pass. Sent by Walter Dulany Esq.,^r

U. H. J.
Liber No. 36
June 20

Read the second time, and will not Pass the Bill Entitled An Act for raising four pence Sterling on every Hogshead of Tobacco exported out of this Province, for the Support of An Agent in London, for the service of this Province, Sent by Walter Dulany Esq.,^r

Mess.^{rs} Selby and Mackall bring up a Bill, Entitled An Act to impower Mary Philpot, Widow and Administratrix of Brian Philpot, late of Baltimore Town in Baltimore County Merchant Deceased, to Sell the Real Estate of her said Husband, for the Payment of the Debts of the said Brian Philpot.

Read the first and second time in the Lower House and will Pass.

Read the first and second time, by an Especial Order, in this House, and will Pass, so Endorsed and sent by Walter Dulany Esq.,^r

Also an Engrossed Bill Read and assented to by the Lower House of Assembly Entitled, An Act for turning part of a Street called East Street, in the City of Annapolis, and for confirming the Title of Thomas Jenings to a Lott of Ground thereon,

Read and assented to by this House, and Ordered to be so Subscribed, the Paper Bill so Endorsed sent by Walter Dulany Esq.,^r

Read the second time in this House the Bill Entitled An Additional Supplementary Act to the Act Entitled An Act for the Establishment of Religious Worship, in this Province, according to the Church of England, and for the Maintenance of Ministers, and will Pass with the following Amendment. In the second line from the bottom of the last Page after the Word "Act." insert the following Words Viz.,^t "to take place and effect on the first day of March next and from the said first day of March"

Read the second time, and will Pass, A Bill Entitled An Act for Licensing Ordinary Keepers, Hawkers, Pedlars, and Petty Chapmen.

These two Bills sent by John B: Bordley Esq.,^r

Ordered that the Clerk of this House receive the same Fees on all Private Bills, passed this Session, as shall be directed by the Lower House of Assembly to be paid to the Clerk of that House

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Mess.,^{rs} Beall and Nicholas Thomas bring up the following Bills.

U. H. J. Read the first and second time in the Lower House and will
 Liber No. 36 Pass.
 June 20
 p. 401

A Bill Entitled An Act for the building of a Parish Church and Chapel of Ease in Saint Johns Parish in Queen Anns County

A Bill Entitled An Act for the Relief of the Reverend John McPherson of Charles County, Also an Engrossed Bill Read and assented to, by the Lower House of Assembly, Entitled An Act to give Thomas Harrison further time to Effect the Removal of a Neusance in Baltimore Town in Baltimore County, this Bill Read and assented to by this House and Ordered to be so Subscribed, the Paper Bills so Endorsed sent by Benedict Calvert Esq.,^r

Read the first and second time, by an Especial Order, a Bill Entitled An Act for building of a Parish Church, and Chapel of Ease in Saint Johns Parish in Queen Anns County

Read the second time, and will Pass, a Bill Entitled An Act for the Relief of certain Languishing Prisoners, in the several Goals therein mentioned

Read the first and second time, by an Especial Order, the Bill Entitled An Act for the Relief of the Reverend John McPherson of Charles County, and will Pass with the following Amendments, sent by Benedict Calvert Esq.,^r

After the Word "arising" in the 4,th line from the Bottom of the first Page add "and which shall arise" after the Word "County" in the said Page and in the third line from the bottom thereof add "or any other Parish within this Province" Leave out in the third line of the second Page the following Words "and who have no Mortgage on his Real and Personal Estate"

Adjourned until to Morrow Morning 10 of the Clock

June 21

Tuesday Morning 21,st June 1768.

This House met again according to Adjournment.

Present as Yesterday

Mess.,^{rs} Wright and Ware bring up the following Engrossed Bills, Read and assented to by the Lower House of Assembly

A Bill Entitled An Act to impower Mary Philpot, Widow and Administratrix of Brian Philpot late of Baltimore Town in Baltimore County Merchant Deceased, to sell the Real Estate of her said Husband, for the Payment of the Debts of the said Brian Philpot

A Bill Entitled An Act for the building of a Parish Church, and Chapel of Ease in Saint Johns Parish, in Queen Anns County

These Bills Read and assented to by this House and Ordered to be so Subscribed, the Paper Bills so Endorsed, sent by John Ridout Esq.,^r

Mess.^{rs} Ringgold and Key bring up the Bill, Entitled An Act for amending and declaring the Law in the Cases therein mentioned, together with the following Message

U. H. J.
Liber No. 36
June 21

By the Lower House of Assembly 21.st June 1768.

May it please your Honours

This House agree to the Passage of the Bill Intituled "An Act for amending and declaring the Law in the several Cases therein mentioned" with all your proposed Amendments except the Fifth, which, we are apprehensive, might be productive of too much Delay, and therefore inconvenient in the County Courts as those Courts do not generally sit seven Days at One time, We therefore propose that instead of the fifth Amendment the Proviso be as follows Viz.,^t "Provided always that such Award shall remain seven days in the Provincial Court, during their Sitting, if returned to the Provincial Court, or three days in the Respective County Courts, during their Sitting, if Returned to any County Court, after the Return thereof, before any such Judgment shall be entered up, And if it shall appear to the Justices of the Court, to which any such Award shall be returned within the Respective times aforesaid, that the same was obtained by Fraud, or Malpractice, in or by Surprise, Imposition, or Deception of the Arbitrators, or without due Notice to the Parties, or their Attorney, or Attornies, it shall, and may be lawful for the said Court, to set aside such Award, and refuse to give Judgment thereon"

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Signed by Order T: Wright Cl: Lo: Ho:

The following Message is sent by John Ridout Esq.,^r together with the Bill Entitled "An Act for amending and declaring the Law in the Cases therein mentioned"

By the Upper House of Assembly 21.st June 1768.

Gentlemen

In Answer to your Message of this Day, by Mess.,^{rs} Ringgold and Key, this House agrees to pass the Bill Entitled "An Act for amending and declaring the Law in the Cases, therein mentioned," according to your Proposition in the said Message

Signed by Order UScott Cl: Up: Ho:

Read and recommended the Petition of Joshua Vansant, sent by John B: Bordley Esq.,^r

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

U. H. J.
Liber No. 36
June 21

Present as in the Morning

Mess.^{rs} Goldsborough and Eden bring up the following Message
By the Lower House of Assembly 21st June 1768.

May it please your Honours

We are preparing an Ordinance for the immediate Reimbursement of His Excellency the Governor, his Account of Supplies to the Nanticoke Indians, and for Payment of Capt.,^t Richard Pearis, for his Services to this Province, during the late War, and for Payment to John Duckett, for Supplying a Book, and transcribing therein the Votes and Proceedings of the Lower House of Assembly, from the Year Seventeen hundred and four, until Seventeen hundred and fifteen inclusive, by the Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the late Commissioners, for paying off the Public Claims and Emitting Bills of Credit, Established by Act of Assembly, out of the Bills of Credit now in the Office, belonging to the Country, and hope for your Honours Concurrence

Signed by Order T: Wright Cl: Lo: Ho:

Mess.^{rs} Selby and Mackall bring up the following Engrossed Bills Read and assented to by the Lower House of Assembly

A Bill Entitled An Act for the Relief of the Reverend John M^cPherson of Charles County.

A Bill Entitled An Act for the Relief of certain Languishing Prisoners, in the several Goals therein mentioned

A Bill Entitled An Act for Licensing Ordinary Keepers, Hawkers, Pedlars, and Petty Chapmen

Mess.,^{rs} Buchanan and Gant bring up the following Engrossed Bill, Read and assented to by the Lower House of Assembly, A Bill Entitled An Act for amending and declaring the Law in the Cases therein mentioned.

These Bills Read and assented to by this House and Ordered to be so Subscribed, the Paper Bills, so Endorsed, sent by Walter Dulany Esq^r

Read the second time, and will Pass, the Bill Entitled An Act for the Relief of the Poor within the several Counties therein mentioned, Sent by John B: Bordley Esq.,^r and also the following Message, together with a Copy of M.^r Ross's Claim against the Publick

By the Upper House of Assembly 21.st June 1768.

Gentlemen

Any Ordinance you may prepare for Reimbursing his Excellency the Money he advanced on Account of the Nanticoke Indians, and for an Allowance to Cap.^t Pearis in Consideration of his Services to this Province, during the War, will meet with Our Ready Concurrence,

We are also willing that an Allowance should be immediately made to M.^r John Ducket, for transcribing the Book you mention, if, at the same time, you will agree to Satisfy a Claim M.^r Ross, the late Clerk of this House, had on the Public, for a Similar Service by him performed, in pursuance of An Order of both Houses in the Years 1739 and 1740., for which he was never paid, a Copy of which Account is herewith transmitted

U. H. J.
Liber No. 36
June 21

Signed by Order UScott Cl: Up: Ho

Mess.,^{rs} Allen and Griffith bring up the following Engrossed Bill Read and assented to by the Lower House of Assembly A Bill Entitled An Additional Supplementary Act to the Act Entitled An Act for the Establishment of Religious Worship, within this Province according to the Church of England, and for the Maintenance of Ministers, this Bill Read and Assented to by this House, and Ordered to be so Subscribed the Paper Bills so Endorsed sent by John Ridout Esq.^r

Adjourned until to Morrow Morning 10 of the Clock

Wednesday Morning 22^d June 1768.

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June 22

This House met again according to Adjournment

Present as Yesterday except Col.,^o Hammond.

Mess.^{rs} Selby and Tyler bring up a Bill, Entitled An Act to enable Thomas Hunt, Executor of William Hunt late of London Merchant Deceased, and Jonathan Smith Executor of Peter Bayard late of Cecil County Deceased, to pay the Monies therein mentioned

Read the first and second time, in the Lower House, and will Pass.

Read the first and second time by an Especial Order in this House and will Pass, with the following Amendments

Strike out in the 4.th line from the bottom the Words "two and a half" and insert in place thereof the Word "five" sent by John Ridout Esq^r

Also an Engrossed Bill Read and assented to by the Lower House of Assembly Entitled An Act for the Relief of the Poor within the several Counties therein mentioned This Bill Read and assented to by this House and Ordered to be so Subscribed, the Paper Bill so Endorsed sent by John Ridout Esq.^r

Mess.,^{rs} Dickison and Mackall, from the Lower House, bring the following Message

By the Lower House of Assembly 22^d June 1768.

May it please your Honours

We cannot agree to make any Allowance to M.^r Ross's Executors, upon a Claim so ancient as the Year seventeen hundred and forty,

U. H. J.
Liber No. 36
June 22

which we find has been frequently rejected, and doubt not on Sufficient Reasons, and by your State of the Matter appears to have been relinquished, ever since the Year Seventeen hundred and fifty three

If your Honours incline to pass the Ordinance agreeable to Our Message, We shall prepare it, if not, the Claims proposed to be provided for must lye over

Signed by Order T : Wright Cl : Lo : Ho :

Read the following Request of Upton Scott One of the Executors of John Ross, late Clerk of this House Deceased
To the Honourable the Upper House of Assembly

The Subscriber, One of the Executors of John Ross Esq.,^r Deceased, being informed since the Delivery of M.^r Ross's Account, for transcribing the Council and Upper House Journals, in the Years 1739 and 1740. to this Honourable House, that it will appear, on the Journal of Accounts for the Year 1740., that the Allowance, then made him, was in full for that Service, requests the Claim, for a Sum still appearing to be due, on M.^r Ross's Account, may be waved until the Matter can be more fully looked into

UScott Ex.^r of John Ross Deceased.

In Consequence whereof the following Message is sent by Benedict Calvert Esq.,^r

By the Upper House of Assembly 22^d June 1768.

Gentlemen

M.^r Ross's Executor having, in Consequence of some Information he has received since he Exhibited to this House the Account we sent You with Our Message of Yesterday, desired that his Claim might be waved, till he can have an Opportunity of making further Enquiry, We agree to its being left out the Ordinance not doubting
p. 405 but that if he can make it appear at a future Session, that the Allowance made to M.^r Ross was really inadequate to his Services, and less in Proportion than that you proposed to be made to M.^r Duckett, You will be ready to make such further Allowance to M.^r Ross's Executors, as may be agreeable to Justice and Equity

Signed by Order UScott Cl : Up : Ho :

Adjourned until 3 of the Clock in the Afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment.

Present as in the Morning

Mess.^{rs} Grahame and Dickinson bring up from the Lower House the following Ordinance Viz.^t For the immediate Reimbursement of His Excellency Horatio Sharpe Esq.^r Governor, his Account of

Supplies to the Nanticoke Indians, and for Payment of Cap.^t Richard Pearis for his Services to this Province, during the late War, and for Payment of John Ducket, for finding a Book, and transcribing the Notes and Proceedings of the Lower House of Assembly from the Year Seventeen hundred and four until the Year Seventeen hundred and fifteen inclusive. It is Ordained by His Excellency the Governor, and the Upper and Lower Houses of Assembly, that the Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the late Commissioners, for paying off the Public Claims for Emitting Bills of Credit, Established by Act of Assembly, shall pay to His Excellency the Governor, or his Order, One hundred and twenty three Dollars and two thirds of a Dollar, to Cap.^t Richard Pearis or his Order four hundred Dollars, and to John Ducket or his Order One hundred and twenty four Dollars and two thirds of a Dollar, out of the Bills of Credit now in the Office belonging to the Province.

U. H. J.
Liber No. 36
June 22

22^d June 1768. Read
and assented to by
the Lower House of
Assembly

Signed by Order

Rob.,^t Lloyd Speaker Hor.,^o Sharpe

Benedict Calvert Esq.,^r brings in the following Report.

22^d June 1768 Read
and assented to by
the Upper House of
Assembly

Signed by Order

Bened.,^t Calvert.

31,st May 1768.

Maryland ss.,

At a Committee of both Houses of Assembly, appointed to Inspect the Office and Proceedings of the late Commissioners, for Paying off the Public Claims, and Emitting Bills of Credit, Established by Act of Assembly

Were Present.

The Hon^{ble} { Benedict Calvert Esq.,^r
and
Walter Dulany Esq.,^r } of the Upper House

M.^r Charles Grahame
M.^r Henry Steele
M.^r Josias Beall Jun^r
M.^r John Hanson Jun.^r
M.^r James Dickinson

of the Lower
House

M.,^r Thomas Ringgold
M.^r Brice T B Worthington
M.,^r Robert Tyler
M.^r John Eden and
M.^r Robert Buchanan

p. 406

Who make Choice of, and appoint the Honourable Benedict Calvert Esq.,^r Chairman, and James Brooks their Clerk and agree to make the following Report Viz,^t

Your Committee find, that, by an Account from the Trustees in London dated 21st May 1767. that there was then £31,000 Capital Stock in the Bank of England, belonging to the Province, which Cost £39,179,,17,,6. and a Balance of £1235,,4,,4 not invested

U. H. J.
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That, of the Bills drawn by the late Commissioners, there were then unpaid four Bills amounting to £683,,12,,3., which had not been presented, that all the Bills remitted by the said Commissioners have, since last Session, been received and passed to the Credit of the Province, except One Bill of £250 which was Protested, and which the Commissioners for the Payment of the Public Claims have received, and remitted to the Trustees in London, amounting with Damages to £287,,19,,6.

Your Committee have Examined the State of the Iron Chests and find the Accounts stand as follows Viz.^t

Iron Chests	D,, ^r
To Balance per Report of the Committee November Session 1766	} 10,, 5,, 2
To Cash received of Col., ^o Tho., ^s Prather for Land Tax	
To Cash received of G: Scott Sheriff of Prince Geo., ^s Co. ^{ty} in part of Rob ^t Riddles Bond.....	} 16,,10,, 4
To Cash received from Littleton Dennis for Nath. ^l Whitakers Bond & Costs.....	
	35,, 5,,10
	<u>£95,,15,, 4</u>

Contra	C,, ^r
By Cash for Stationary £25 St. ^g Ja. ^s Anderson on Will. ^m Anderson	} 32,,10,,
By Cash paid the Commrs 5 p Cent Comm. ⁿ on Sundry Debts Collected by them.....	
By Cash paid for two Bills of Exchange £30 St. ^g Remitted to the Trustees.....	} 39,,15,,10
	<u>£95,,15,, 4</u>

Your Committee further Report, that the amount of the Journal, and List of Debts, as they passed last Session was 5623499 $\frac{3}{4}$ Pounds of Tobacco, and £19,840,,1,,2 $\frac{1}{4}$, That the Commissioners have discovered Sundry Errors therein, by wrong Additions, which we have carefully examined, and find the true Debt against the Province on the Journal and List of Debts to be 5841083 $\frac{3}{4}$ Pounds of Tobacco, and £19998,,0,,0 $\frac{1}{2}$ which amounts to 150,679 Dollars, and two fifths of a Dollar

p. 407 Your Committee have spent some time in Examining the Accounts, and Proceedings of the Commissioners, and find that they have paid to Sundry Claimants Bills of Credit, to the amount of 145,808 Dollars, the Accounts of which we have Examined up to the 5th March 1767, when the sum of 98511 Dollars and One half Dollar and two Ninths of a Dollar was paid away, and proper Vouchers and Receipts appear therefor, and the Books appear to

Your Committee, as far they have Examined them, to be fairly and regularly kept, but the Number of the Payments have rendered it impossible for Your Committee to go through the whole Examination, this Session

U. H. J.
Liber No. 36
June 22

Your Committee also find, that the Commissioners have paid away to the Printer, the Treasurer and for their and their Clerks Salaries agreeable to the Act of Assembly, and other Office Expences 3330 Dollars, and $\frac{5}{6}$ of a Dollar

	Dollars
Your Committee have received from the Commissioners } Bills of Credit to the amount of 24601 Dollars, and $\frac{4}{9}$ } of a Dollar, out of which they have paid to Sundry } Claimants for Allowances on the Journal and List } of Debts }	2146 $\frac{1}{6}$
To Amos Ogden for the Use of the Nanticoke Indians } as directed by Act of Assembly this Session. }	666 $\frac{2}{3}$
To Ann Catharine Green as directed by Act this Session. }	948 $\frac{1}{2}$
To His Excellency the Governor as directed by Ordinance of both Houses of Assembly this Session. }	123 $\frac{2}{3}$
To Cap. ^t Richard Pearis by Ditto.	400
To John Duckett by Ditto.	124 $\frac{2}{3}$
There is still due to Sundry Claimants on the Journal } and List of Debts. }	2707 $\frac{2}{9}$
And there remains in the Iron Chest unapplied.	17466 $\frac{5}{9}$
	<u>Dollars 24601$\frac{4}{9}$</u>

All which is Submitted to the Consideration of both Houses of Assembly this 22^d day of June 1768.

Benedict Calvert
Walter Dulany
Brice T : B Worthington
Thomas Ringgold
Charles Grahame
James Dickinson
Henry Steele
Robert Tyler
Robert Buchanan

John Ridout and Walter Dulany Esq.,^{rs} are sent to acquaint the Lower House that His Excellency requires their Attendance in the Upper House immediately, to see the Bills, passed both Houses this Session, receive the Assent.

The Lower House attend, and by their Speaker present to His Excellency the following Bills

U. H. J.
Liber No. 36
June 22

A Bill Entitled a Supplementary Act to the Act to enable the Visitors of Kent County School for the time being to Lease out part of the Land belonging to the said School

A Bill Entitled An Act for turning part of a Street called East Street, in the City of Annapolis, and for confirming the Title of Thomas Jenings Esq.^r to a Lott of Ground thereon

A Bill Entitled An Act to give Thomas Harrison further time to effect the Removal of a Neusance, in Baltimore Town, in Baltimore County.

A Bill Entitled An Act to impower Mary Philpot, Widow and Administratrix of Brian Philpot late of Baltimore Town in Baltimore County Merchant, Deceased, to Sell the Real Estate of her said Husband, for the Payment of the Debts of the said Brian Philpot.

A Bill Entitled An Act for the building of a Parish Church, and Chapel of Ease in Saint Johns Parish in Queen Anns County.

A Bill Entitled An Act for the Relief of the Reverend John McPherson of Charles County

A Bill Entitled An Act for the Relief of certain Languishing Prisoners, in the several Goals therein mentioned.

A Bill Entitled An Act for Licensing Ordinary Keepers, Hawkers, Pedlars, and Petty Chapmen.

A Bill Entitled An Act for amending and declaring the Law in the Cases therein mentioned.

A Bill Entitled An Act for the Relief of the Poor within the several Counties therein mentioned.

All which His Excellency passed into Laws in the Usual form, by Sealing with the Right Honourable the Lord Proprietary His Great Seal at Arms, and Subscribing them, On behalf of the Right honourable the Lord Proprietary of this Province I will this be a Law. After which His Excellency was pleased to conclude this Session with the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the Advice of His Lordships Council of State to Prorogue this Assembly to the second Tuesday in October next, You are therefore to take Notice that You are Prorogued to that Day accordingly

Thus Ends this Session of Assembly, begun and held at the City of Annapolis, on Tuesday the 24.th Day of May, ending the 22^d day of June following, in the Eighteenth Year of His Lordships Dominion, Anno Domini 1768

U Scott Cl: Up: Ho:

PROCEEDINGS

OF THE

LOWER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 24.th Day of May in the Year of our Lord one thousand seven hundred and sixty eight, and in the eighteenth year of the Dominion of the Right Honorable Frederick absolute Lord and Proprietary of the Province of Maryland and Avalon, Lord Baron of Baltimore &c.^a (his Excellency Horatio Sharpe Esquire being Governor) the following Delegates appeared in the lower House of Assembly Viz.^t

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For S.^t Marys County

M.^r Dan.¹ Wolstenholme

For Kent County

M.^r Robert Buchannan
M.^r Thomas Ringgold
M.^r Stephen Bordley
M.^r Richard Gresham

For Ann.¹ County

M.^r Sam.¹ Chase
M.^r Brice T. B. Worthington
M.^r Henry Griffith
M.^r Thomas Johnson

For Calvert County

M.^r Young Parran
M.^r Benjamin Mackall
(Son of Ja.^s Jn.^o)

For Somerset County

M.^r William Hayward
M.^r Thomas Dashiell

For Talbot County

M.^r Matthew Tilghman
M.^r James Dickinson
M.^r Nicholas Thomas

For Dorchester County

M.^r Dan.¹ Sullivan
M.^r Henry Steel
M.^r Henry Hooper

For Baltimore County

M.^r Thomas Cockey Deye

For Cæcil County

M.^r William Ward
M.^r John Veazy

For Prince Georges County

M.^r Robert Tyler

For the City of Annapolis

M.^r John Hall
M.^r William Paca

For Queen Anns County

Robert Lloyd Esq
M.^r James Hollyday
M.^r Thomas Wright

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For Worcester County

M.^r William Allen
M.^r Zadock Purnel
M.^r Joseph Dashiell

For Frederick County

M.^r Thomas Cresap
M.^r Thomas Jennings
M.^r William Lockett

A sufficient number of delegates to compose a lower house of assembly being convened at the stadt house M.^r Brice T. B. Worthington, and M.^r James Hollyday attended on his Excellency the governor to acquaint him therewith

John Ridout and Walter Dulany esquires from the upper house, and M.^r Upton Scott clerk of the council, came into the stadt house in whose presence the aforesaid delegates took the several oaths to the government required by law, subscribed the oath of abjuration, repeated and signed the test

Benedict Calvert and John Ridout esquires from the upper house acquaint the members of this house that the governor requires their attendance in the upper house

The members of the lower house went to the upper house. His excellency required them to return to the lower house and chuse a speaker. They returned and unanimously made choice of Robert Lloyd esquire; a delegate returned for Queen Anns county to be their speaker, and placed him in the chair. M.^r Thomas Ringgold and M.^r James Hollyday, were sent to acquaint the governor that this house hath made choice of a speaker

Benedict Calvert and Daniel Dulany esquires from the upper house acquaint the members of this house that the governor requires their attendance in the upper house to present their speaker

The members of the lower house went to the upper house, and presented to the governor Robert Lloyd esquire; as their speaker. His excellency approved their choice and made the following speech
Gentlemen of the upper and lower houses of assembly

Since the last session of assembly, I have received letters from Sir William Johnson his Majestys superintendant of indian affairs in this district of North America relative to a representation which had been made to him on behalf of the Maryland indians, some of whom are, it seems desirous to remove to Otsiningo, and to be incorporated with the six nations, if they may be permitted to dispose of the lands which by the legislature of this province were heretofore appropriated to the use of those peoples ancestors

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Together with Sir Williams letters I shall communicate to you a petition that hath been presented to me by several of those indians, also the fullest information I have been able to get concerning their number and the lands they occupy or claim, so that you maybe the better able to judge what compensation it will be reasonable to give

them for their rights, should you think fit to repeal the laws by which they are at present restrained from selling the lands they possess

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As the person who is authorized by Sir William Johnson as well as by the indians to act for them on this occasion, will wait here for the result of your deliberations I must recommend this business, in the first place to your consideration

Gentlemen

The frequent disputes and great confusion occasioned in this province by the loss of boundaries and the variation of the compass are matters well worthy your notice: Some remedy for so great an evil is indisputably wanting; but it might perhaps be difficult to point out one adequate and unexceptionable: That a just and equitable regard may be shewn to the rights of all concerned, the utmost caution and foresight as well as the strictest impartiality, are requisite

The defects of our present road laws, are obvious and striking: You must be sensible what great advantages would arise to the community, from the public roads being made more direct and kept constantly in good repair; I hope therefore you will take this matter likewise into consideration

I must also observe to you, gentlemen, that an accurate review of the criminal laws made or introduced here, seems to be highly expedient: When it becomes a question whether a law is in force, or not, a tenderness toward convicted persons, they may not seem to deserve usually takes place and, by that circumstance, encouragement is probably given, to the commission of crimes. Let therefore some criterion be established, so plain and explicit, for determining what criminal laws are in force here, that all doubts, on this head, may in future be prevented

Gentlemen of both houses

The proofs I have on all occasions endeavoured to give of my desire to promote the welfare and happiness of the people over whom I have the honor to preside, make it, I hope, unnecessary for me, now, to assure you, that you will always find me ready to concur with you in every proper measure you can propose for the public good

M.^r speaker (with the rest of the members) returned to the lower house and resumed the chair

The house adjourns till to morrow morning 9 o'clock

Wednesday May 25.th

May 25

The house met according to adjournment. The members were called and all appeared as on yesterday.

M.^r John Goldsborough a delegate returned for Talbot County, and M.^r William Baxter a delegate returned for Cæcil County appeared in the house

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Ordered that M.^r Matthew Tilghman and M.^r William Ward do go with those gentlemen to the upper house to see them qualified: They return and acquaint M.^r speaker they saw them qualified in the usual manner. The gentlemen took their seats in the house

The house proceeded to chuse a clerk, and made choice of M.^r Turbutt Wright

Ordered, that M.^r Daniel Sullivane and M.^r William Hayward do acquaint his excellency with the choice which this house hath made of a clerk, and to desire his approbation. They return and acquaint M.^r speaker they delivered the message, and that his excellency approved the choice

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Ordered, That M.^r Daniel Sullivane and M.^r William Allen do go with M.^r Wright to the upper house to see him qualified as clerk of this house. They return and acquaint M.^r speaker that they saw him take the several oaths to the government required by law, sign the oath of abjuration, repeat and sign the test, and take the following oath of office:

You Turbutt Wright do swear that as clerk of the lower house of assembly you shall true entries make of all such matters and things as by the honorable speaker for the time being and that house, shall be to you directed: The secrets of the said house you shall not divulge, to the prejudice of the house or any member thereof; but shall in all things as clerk to the said house well and truly demean yourself, according to the best of your knowledge: So help you God

The house appointed M.^r Robert Saunders, serjeant at arms, and Cornelius Howard, door keeper to the lower house of assembly

Ordered that the clerk do certify the same to M.^r Reverdy Ghiselin, and desire him to administer to them the several oaths to the government and the oath of their respective offices

M.^r Reverdy Ghiselin certifies to the house that M.^r Robert Saunders and Cornelius Howard, had taken the several oaths to the government required by law, subscribed the oath of abjuration repeated and signed the test before him and severally took the following oath of office, viz.^t

You Robert Saunders do swear, that you will faithfully diligently, and honestly, discharge the office of serjeant at arms to the lower house of assembly, and that you shall not disclose or reveal the secrets thereof: So help you God

You Cornelius Howard do swear that you will faithfully, diligently and honestly discharge the office of door keeper to the lower house of assembly, and that you shall not disclose or reveal the secrets thereof. So help you God

The house adjourns till 2 o'clock

Post meridiem. The house met &c.^a The proceedings of yesterday were read.

His excellencys speech read. Daniel Dulany esquire from the upper house delivers to M.^r speaker, Sir William Johnsons letters, a petition from sundry indians, with other papers and letters relative thereto, which are severally read and ordered to lie on the table

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The house adjourns till to morrow morning 9 o'clock

Thursday May 26.th

May 26

The house met according to adjournment. The members are called and all appear, &c.^a

The proceedings of yesterday are read. M.^r John Ridgley, M.^r John Moale and M.^r Robert Adair, delegates returned for Baltimore County; M.^r Josias Beall jun.^r M.^r William Murdock, delegates returned for Prince Georges County; and M.^r Francis Ware, a delegate returned for Charles County; appeared in the house

Ordered, that M.^r Deye, M.^r Tyler and M.^r Ringgold do go with those gentlemen to the upper house to see them qualified. They return and acquaint M.^r speaker they saw them qualified in the usual manner. The gentlemen took their seats in the house

Ordered that the following rules be observed during this session

1.st That no member of the house shall use any reviling speeches or name any members by his proper name, but shall use some other distinction, as, the gentleman who spoke last, or the like

2.^d That no member speak above once on any debate without license of the house declared by the speaker, and if two persons or more shall rise up together; the speaker shall appoint who shall speak first and no member shall interrupt any other, until the gentleman speaking, hath ended

3.^d That none shall deliver his opinion, or speak to any bill or debate unless he shall stand up and reverently direct his speech to the speaker

4.th That every bill proposed by the house shall be read two several days before it is sent to the upper house; and once after before it be ingross'd; and that between every reading; one day shall be intermitted; and that in that time the bill shall be laid on the table for the perusal of all the members; unless on very urgent occasions, M.^r speaker with the consent of the house shall dispense therewith, and then, one bill being read twice at one sitting, shall be as sufficient as if read several days, when so entered on the clerks journal

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5.th That no person come into the house of assembly while the same is sitting, with sword or other weapon upon penalty of such fine, as shall be imposed on them by the speaker at the discretion of the house

6.th That if any member bound to attend this assembly shall be absent at the hours and place appointed, after the number of twelve

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of the members, with the speaker, are met, according to the order for sitting, shall be fined according to the discretion of the speaker, not exceeding five shillings for any offence, unless upon such excuse as the speaker shall admit of

7.th All misdemeanors which shall happen in the house, shall be censured and fined in the house

8.th That no bill shall be read at anytime during this session till all the members in town shall be called in, except on some excuse to be admitted by the speaker

9.th That if any member of this house do depart, without leave from the honorable speaker, and the house, such member shall forfeit all his preceding allowances due to him for his attendance that session.

The following resolves viz.^t

Resolved by the house, That the members who shall be appointed as members of the committee of aggrievances, have likewise the character of a committee for courts of justice; and that that character, and the duty of such committee be annexed to the said committee of aggrievances as a standing part of their duty: And that it be an instruction to the said committee of courts of justice, that they observe the nature of all the commissions to the several courts of judicature within this province; and that they especially observe any alterations that may at any time happen by accidental omission, or otherwise, therein; and particularly relating to such words therein, as require the several judges and justices to hear, try, and determine according to the laws, statutes, ordinances and reasonable customs of England and of this province, or to such other words as have relation thereto; and that they shall immediately make report to the house of any alteration that shall at any time happen in such commission, and likewise to have regard, as near as may be, to observe wherein they differ from the forms of the several sorts of commissions to the judges, and justices in England; and also to enquire and report whether it appears that the several magistrates in this province have been duly qualified, agreeable to law

Resolved also, That this province is not under the circumstances of a conquered country; that if it were, the present christian inhabitants thereof, would be in the circumstances, not of the conquered, but of the conqueror, it being a colony of the english nation encouraged by the crown to transplant themselves hither, for the sake of improving and enlarging its dominions; which by the blessing of God upon their endeavours, at their own expence and labour, has been in a great measure obtained: And 'tis unanimously resolved, that whosoever shall advance that his majestys subjects by such their endeavours and success have forfeited any part of their english liberties, are not well wishers to the country and mistake its happy constitution

Resolved also, that if there be any pretence of conquest, it can be only supposed against the native indian infidels; which supposition cannot be admitted, because the christian inhabitants purchased great part of the land they at first took up, from the indians, as well as from the lord proprietary, and have ever since continued in an amicable course of trade with them; except some partial outrages and skirmishes, which never amounted to a general war, much less to a general conquest, the indians yet enjoying their rights and privileges of treaties and trade with the english, of whom we yet frequently purchase the rights of such land as we take up, as well as of the lord proprietary

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Resolved further, that this province hath always hitherto had the common law, and such general statutes of England as are securitative of the rights and liberties of the subject, and such acts of assembly as were made in the province to suit its particular constitution, as the rule and standard of its government and judicature, such statutes and acts of assembly being subject to the like rules of common law, or equitable construction, as are used by the judges in construing statutes in England; which happy rules have by his majesty and his royal ancestors, and also by his lordship and his noble ancestors, or some of them, been hitherto approved, by having the commissions of judicature to include directions of that nature to the several judicial magistrates, unless those words have at any time been casually or carelessly omitted by the officers in this province, that drew such commissions

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Resolved, that the levying and taking the sum of twelve pence sterling per hogshead, by the right honorable the lord proprietary of this province, on all tobacco exported out of the same, under pretence and colour of the act of 1704, is not warranted by law

Resolved nemine contradicente, that if the above act of 1704 had been in force from the restoration of the government by the crown, to the right honorable the lord proprietary, to this time; yet the sum of three pence sterling, part of the said twelve pence sterling, agreeable to the plain construction of the above mentioned act of 1704, and her late majesty queen Ann's instructions to her governor here, when the said act was in force ought to be applied towards purchasing of arms, and ammunition for the defence of this province: Were read, and unanimously approved of. His excellency's speech read a second time

Ordered that an address be prepared to be presented to his excellency, on his speech; and that M.^r Hollyday, M.^r Johnson, M.^r Hall, M.^r M. Tilghman, and M.^r Murdock do prepare and bring in the same

The house appointed John Duckett and Edward Ford, clerks to attend the several committees that may be appointed this session

L. H. J. Ordered that the clerk do certify the same to M.^r Reverdy Ghiselin,
 Liber No. 52 and desire him to administer to them the several oaths of govern-
 May 26 ment and the oath of their respective offices.

Ordered that M.^r Ward, M.^r Hayward, M.^r Steele, M.^r Goldsborough, and M.^r M Tilghman be a committee of elections and privileges

M.^r Goldsborough, M.^r Sullivane, M.^r Wright, M.^r Steele and M.^r Dickinson a committee of accounts

M.^r Murdock, M.^r Hayward, M.^r Allen, M.^r N. Thomas, M.^r Cresap, M.^r Hooper M.^r Bordley, M.^r Parran, M.^r Worthington, M.^r Ridgley, M.^r Veazy, M.^r Ware, M.^r Hollyday, and M.^r Wolstenholme, a committee of aggrievances and courts of justice

The house adjourns till 2 o'clock

Post meridiem. The house met &c.^a

Resolved, that the hours of sitting for dispatch of public business be from nine of the clock until twelve, and from two of the clock afternoon until five

Ordered, that M.^r Chase do acquaint the reverend M.^r Edmiston that he is desired by this house, to read divine service at a quarter before nine in the morning, and at five o'clock in the afternoon during this session

Ordered, that M.^r Ringgold, M.^r Dickinson, M.^r Steele, M.^r Worthington and M.^r Beall be a committee to inspect the accounts and proceedings of the commissioners appointed by virtue of the act for the payment of the public claims, for emitting bills of credit and for other purposes therein mentioned

The following message was sent to the upper house by M.^r Worthington and M.^r Steele

By the lower house of assembly May 26.th 1768

p. 493 May it please your honors

This house hath appointed M.^r Ringgold, M.^r Dickinson, M.^r Steele, M.^r Worthington and M.^r Beall, to join one or more of the members of your house as a committee to inspect the accounts and proceedings of the commissioners appointed by virtue of the act for the payment of the public claims for emitting bills of credit and for other purposes therein mentioned

Sign'd p Order T. Wright clk lo: ho:

M.^r Reverdy Ghiselin certifies to the house that John Duckett and Edward Ford have taken the several oaths to the government required by law, subscribed the oath of abjuration, repeated and signed the test, before him and severally took the oath of office

M.^r Hall brings in and delivers to M.^r speaker the following ingross'd address

To his excellency Horatio Sharpe esquire; governor and commander
in chief in and over the province of Maryland

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The humble address of the house of delegates

May it please your excellency

We his majesty's most dutiful and loyal subjects the delegates
of the freemen of Maryland, in general assembly convened return
your excellency our hearty thanks for your speech at the opening of
this session.

We will take into consideration the several matters recommended
by your excellency, and give them all the attention that is due to the
nature and importance of them. And as your excellency is pleased to
recommend the letters from Sir William Johnson, and the business
of the indians to our consideration, in the first place, they shall be
the subject of our immediate deliberations.

As we have nothing more at heart than the welfare and happiness
of the people of this province, the assurances your excellency is
pleased to give us, that we shall always find you ready to concur
with us in every proper measure we can propose for the public good,
cannot but merit our most grateful acknowledgements

Which was read and assented to, and signed by order of the house
by the honorable speaker

Ordered that M.^r Hayward and M.^r Beall do acquaint his ex-
cellency that this house hath prepared an address to be presented to
him, and desires to know when and where he will be pleased to
receive it. They return and acquaint M.^r speaker, that his excellency
signified he would receive the address to morrow morning in the
conference chamber

The house appoints M.^r Tyler, M.^r Parran, M.^r Chase, M.^r John-
son, M.^r Hayward, M.^r Goldsborough, and M.^r Mackall, a committee
to inspect into the several public offices, and report to the house the
state and condition of them

On motion, ordered, that M.^r Johnson, M.^r Goldsborough, and
M.^r N. Thomas be a Committee to enquire what laws will expire this
session, and make report thereof to the house

M.^r Edward Gantt and M.^r Charles Grahame, delegates returned
for Calvert County, appeared in the house

Ordered that M.^r Parran and M.^r Mackall do go with those gentle-
men to the upper house to see them qualified.

They return and acquaint M.^r speaker, that the gentlemen were
qualified in the usual manner.

The gentlemen took their seats in the house

Ordered, that the petition relating to indian affairs, be again read.

The house appoints M.^r Johnson, M.^r Hollyday, M.^r Ringgold,

L. H. J. M.^r Hayward, M.^r Allen, and M.^r Sullivane, a committee to state
 Liber No. 52 the facts relating to indian affairs, and make report to the house
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M.^r John Eden, a delegate returned for Saint Marys County; appeared in the house

Ordered that M.^r Parran and M.^r Gantt do go with the gentleman to the upper house to see him qualified. They return and acquaint M.^r speaker, they saw him qualified in the usual manner.

The gentleman took his seat in the house.

P. 494 M.^r speaker communicated to the house a letter from Thomas Cushing esquire, speaker of the house of representatives for Massachusetts Bay, respecting the late acts of parliament imposing duties on the colonies for the sole purpose of raising a revenue. Also the following letter from Peyton Randolph esquire, speaker of the house of burgesses for the colony of Virginia, and copy of a resolve of the said house

Virginia May 5.th 1767.

Sir

The house of burgesses of this colony in their last session directed me to transmit to you the inclosed resolution which was formed with a design to be laid before your assembly for their concurrence; and to point out to that respectable body, the out lines of an act they are desirous should pass for building a light house on Cape Henry. The advantages that will result to the trade of both colonies, and the safety that will be procured to many of our fellow subjects, should such a work be accomplished, leave me no room to doubt, that your legislature will readily join us in so useful an undertaking. I must request of you, sir, to take their sentiments on this subject, as soon as you can, and hope it may appear so necessary to you as to claim your assistance. It gives me particular pleasure that this part of my duty affords me an opportunity of expressing my esteem for your character, and of assuring you that I am with the greatest respect, your most obedient servant

Peyton Randolph

Resolved, that a light-house be erected on Cape Henry, for the convenience of vessels trading to this colony; and that the expence of building and maintaining such light-house be defrayed by a duty on the tonnage of vessels, not exceeding six pence per ton, for, and during the term of five years; and after that term, what other sum shall be found necessary to be paid by the owners or masters; once every voyage at the time of their clearing out, to be collected and received by the respective collectors or officers who shall be appointed to receive the same, and by them to be accounted for and paid to the treasurer of this colony, for the time being, appointed by, or pursuant to an act of assembly for the uses and purposes aforesaid. And, that the speaker of this house be desired to transmit this resolution to the speaker of the house of representatives of the province of

Maryland, that the same may be laid before them, and that they be requested to concur in this scheme, which will be so beneficial to the trade of both colonies

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John Randolph C. H. B.

Which are severally read and ordered to lie on the table
The house adjourns till to morrow morning 9 o'clock

Friday May 27.th

May 27

The house met &c.^a The members were called and all appeared as on yesterday. The proceedings of yesterday were read.

Ordered that M.^r Murdock and five more do present the address to his excellency

Ordered that M.^r Grahame be added to the committee appointed to inspect the accounts and proceedings of the commissioners appointed by virtue of the act for the payment of the public claims, for emitting bills of credit, and for other purposes therein mentioned.

M.^r Henry Baker, a delegate returned for Cæcil County; appeared in the house

Ordered that M.^r Baxter and M.^r Veazy do go with the gentleman to the upper house to see him qualified. They return and acquaint M.^r speaker, they saw him qualified in the usual manner. The gentleman took his seat in the house.

Benedict Calvert esquire from the upper house delivers to M.^r speaker the following message

By the upper house of assembly May 27.th 1768.

Gentlemen.

This house hath appointed Benedict Calvert and Walter Dulany esquires to join the members of your house, named by you, for the purposes in your message of yesterday by Mess.^{rs} Worthington and Steele

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Sign'd p order U Scott clk up: ho:

The house adjourns till 2 o'clock

Post meridiem. The house met according to adjournment

M.^r Johnson brings in and delivers to M.^r speaker the following report

By the committee appointed to state the facts relating to indian affairs, and make report thereof to the house

May 27th 1768.

Your committee in obedience to the order of the honorable house do humbly report, that by virtue of an act of assembly made in the year 1704, entituled, an act for ascertaining the bounds of a certain tract of land, to the use of the Nanticoke indians, so long as they

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should occupy and live upon the same; a tract of land lying in Dorchester County, on the north side of Nanticoke River was laid out and described by certain boundaries in the said act mentioned, for the use of the Nanticoke indians under the proviso contained in the said act; and by another act made in the year 1723, entituled an act for quieting the possessions of the indian inhabitants on Nanticoke and Choptank Rivers the said land is confirmed to the said indians, and their descendants for and during such a space of time as they or any of them shall think fit to use, and shall not wholly and totally desert and quit claim to the same: And by another act of assembly made in the year 1711 entituled an act to impower commissioners to appoint and cause to be laid out three thousand acres of land, on Broad Creek in Somerset County for the use of the Nanticoke indians, so long as they shall occupy the same; a tract of land was directed to be surveyed and laid out for the use of the said indians so long as they should occupy the same, as by the said several acts will more at large appear. That in pursuance of the last recited act, two thousand five hundred acres of land, lying on Broad Creek in Somerset County, and five hundred acres lying on the south side of the said Broad Creek, were actually laid out and surveyed for the said indians; and were, by a jury summoned for that purpose, valued as follows: To wit, the two thousand five hundred acres at fifty thousand pounds of tobacco, and the five hundred acres at ten thousand pounds of tobacco, as by a certificate of the said survey and valuation, made in pursuance of the said act, and returned into the secretarys office and there recorded in liber T. P. folios 110, 111, 112 more fully appears. That by the journal of accounts of the assembly in October sessions in the year 1712, and by the journal of the committee appointed in that session for laying the public levy, it appears that the said several sums of fifty thousand, and ten thousand pounds of tobacco were allowed and assessed to and for the owners and proprietors of the said three thousand acres of land, and the further sum of eight thousand eight hundred and eighty pounds of tobacco, for improvements made on part of the said land, and for expences in surveying and valuing the said land &c.^a was also levied and assessed. That it appears to your committee from the papers mentioned in his excellencys speech, which have been laid before your honorable house, that the heirs of col.^o John Rider, late of Dorchester County deceased, do claim the quantity of one thousand six hundred and sixty four acres of land within the boundaries of the said tract laid out by virtue of the law made in 1704 as being surveyed and granted before the making of that act; and which ought, as they alledge, to revert to them whenever the said indians shall desert or leave the said lands, by virtue of the proviso in the said act contained; for which quantity of one thousand six hundred and sixty four acres of land, it does not appear to your

committee that any compensation was ever made to the said colonel Rider, or any other person

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That it appears from the said papers, that George Kirkman and the heirs of colonel William Ennals, do also claim lands within the boundaries of the said tract laid out by the act of 1704, but that these lands were surveyed and granted since the making of that act. It does not appear to your committee, on the best enquiry they are at present able to make, that there are any indian claimants of the land appropriated by the act of 1704, or by the act of 1711, other than those who have subscribed the petition laid before your honorable house; and from the best information your committee can obtain, there are now only one indian woman, and two indian boys settled on the land mentioned in the act of 1704, and none on the land laid out under the act of 1711 tho' they still claim the last mentioned land which now lies within the three lower counties of Delaware by the late running of the provincial lines

Your committee beg leave further to report, that it does not appear to them that any of the Maryland indians except the petitioners, are desirous of removing out of this province; but on the contrary, that the Choptank indians chuse to continue amongst us and enjoy the benefit of the public provision for them. All which is humbly submitted to the consideration of your honorable house. p. 496

Sign'd p order John Duckett clk com.

The house concurs with the report

His excellency communicated to M.^r speaker the following message:

Gentlemen of the lower house of assembly,

Your address in answer to my speech at the opening of this session demands my acknowledgements, and I thank you for your promise to give due attention to the several matters I recommended to your consideration

Hor^o Sharpe

M.^r Thomas Key, a delegate returned for saint Marys County; M.^r William Smallwood, and M.^r John Hanson delegates returned for Charles County; appeared in the house

Ordered that M.^r Wolstenholme, M.^r Eden, and M.^r Ware do go with those gentlemen to the upper house to see them qualified. They return and acquaint M.^r speaker they saw them qualified in the usual manner.

The gentlemen took their seats in the house

On reading the petition of the Nanticoke indians, and the report of the committee appointed to state the facts relating to indian affairs: It is resolved that the said petition be rejected; and that M.^r Johnson, M.^r Hollyday M.^r Ringgold, M.^r Hayward, M.^r Allen, and M.^r Sulli-

L. H. J. vane be a committee to prepare an address to his excellency informing
 Liber No. 52 him of the reasons which induced this house to reject the said
 May 27 petition

The house adjourns till to morrow morning 9 o'clock

May 28

Saturday May 28.th

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read. M.^r Ringgold brings in and delivers to M.^r speaker the following address

To his excellency Horatio Sharpe esquire, governor and commander in chief in and over the province of Maryland.

The humble address of the house of delegates.

May it please your excellency

We have taken that part of your excellencys speech, with the several papers which have been laid before us, relative to the Maryland indians, into our consideration; and from thence, and on the best enquiry we have been able to make, we cannot discover that any of them, except those who have petitioned, are desirous of removing from this province. We find that by an act of assembly made in the year 1704, reciting that it was just the indians should have a convenient dwelling place, a tract of land on Nanticoke River, was appropriated to the use of the Nanticoke indians, their heirs and successors, for ever; under a proviso, that it should be lawful for any person or persons that had formerly taken up and obtained any grants from the lord Baltimore, for any tracts or parcels of land within the boundaries thereof, upon indians deserting or leaving the said land, to enter, occupy and enjoy the same: That by another act passed in the year 1711, three thousand acres of land on Broad Creek, on Nanticoke River were directed to be laid out by commissioners, valued by a jury, and paid for by the public; and, that when the same should be laid out, and paid for by the public as aforesaid, the same should be to the use of the Nanticoke indians so long as they should occupy the same, and afterwards should be disposed of as the general assembly of this province should direct. That the commissioners appointed by the last mentioned act, caused the three thousand acres of land to be laid out and valued, and returned a certificate of their proceedings into the provincial court office where it now remains of record, by which it appears the land belonged to several owners and proprietors and was valued in the whole to sixty thousand pounds of tobacco, which together with eight thousand eight hundred and eighty pounds of tobacco for improvements made on part of the land, and expences attending the surveying and valuing thereof was, as appears by the assembly proceedings in the year 1712, allowed by and assessed on the public. By the papers laid before us, it appears

the reversion in 1664 acres part of the land described in the said act of 1704 is claimed by the heirs of colonel Rider under grants made many years before that act; but it does not appear in any manner, that he, or any other person hath ever received any satisfaction therefor; and that the reversion in some other parts of the Nanticoke tract, is claimed under grants to colonel William Ennals, made since the year 1704. We conceive it to be clear, from the purview of the said recited acts, and of one other act of assembly made in the year 1723 for quieting the possessions of the indians inhabiting on Nanticoke and Choptank Rivers, that the intention of the legislature was nothing more than to provide for and secure to those people a dwelling place and the means of a comfortable subsistence so long as they should incline to remain among us; and therefore, to permit such of them as are now left, who appear to be very few to sell the lands, would be directly contrary to the intention of those laws; and we are also of opinion, that it cannot be for the interest of the indians themselves, to be permitted to do so, nor would be consistent with the justice and to the public and individuals.

L. H. J.
Liber No. 52
May 28

p. 497

Which is read, and approved of, and ordered to be ingrossed

M.^r Gresham hath leave of absence till Monday next

On motion, that that part of his excellencys speech which recommends some notice to be taken of the confusion occasioned in this province by the loss of land boundaries, and the variation of the compass: Resolved that the same be taken into consideration on Friday next

The governor communicated to M.^r speaker the following message:

May 28.th 1768.

Gentlemen of the lower house of assembly,

You will observe by the advertisement herewith sent, what a horrid piece of villainy hath been perpetrated in Baltimore County. Application hath been made to me to grant my pardon to one of the offenders, in case he shall discover the other; but as I conceive the offer of a reward would contribute more powerfully to detect and bring to justice the villains concerned in this atrocious offence, I recommend to you to appropriate a sum to that purpose that it may be notified in my proclamation. I might observe to you, that it is not long since an instance of a similar nature happened in the same county, which evinces the necessity of pursuing the most vigorous measures to bring such villains to condign punishment

Hor^o Sharpe

The following advertisement

Hunting Ridge May 24.th 1768

[*This advertisement is printed in full in the Upper House Journal, [p. 285]*]

Resolved, that three hundred dollars be applied as a reward for apprehending the perpetrators of the fact mentioned in the said

L. H. J. message, or one hundred and fifty for either; to be paid on con-
 Liber No. 52 viction
 May 28

The ingross'd address being brought in, read, assented to, and signed by order of the house by the honorable speaker: Ordered that M.^r M Tilghman and M.^r Parran do acquaint his excellency that this house hath prepared an address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r speaker that his excellency signified he would receive it immediately in the council chamber

Ordered that M.^r Goldsborough and three more do present the address

M.^r Baxter, M.^r Ridgley, M.^r Moale, M.^r Ringgold, and M.^r Gantt have leave of absence till Monday next

Ordered that M.^r Johnson, M.^r Hollyday, and M.^r Jennings do prepare an address to his excellency in answer to his message of this day

M.^r Johnson brings in and delivers to M.^r speaker the following address.

To his excellency Horatio Sharpe esquire governor and commander in chief in and over the province of Maryland

The humble address of the house of delegates.

May it please your excellency,

p. 498 We are impressed with a just sense of the horrid crime mentioned in your excellencys message of this day, and think with your excellency, the offer of a reward for the discovering the perpetrators, the most probable means by which they may be brought to that punishment they so justly deserve, and have therefore resolved that the sum of three hundred dollars be applied as a reward for the apprehension of them; or one hundred and fifty dollars for either of them to be paid on conviction, and desire your excellency will be pleased to offer the said reward. Which is read, approved of, and ordered to be ingross'd

M.^r Johnson brings in, and delivers to M.^r speaker the ingross'd address to his excellency, which is read assented to and signed by order of the house by the honorable speaker.

Ordered that M.^r Johnson and M.^r Paca do wait on his excellency and acquaint him, that this house hath prepared an address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r speaker, his excellency signified he would receive the address immediately in the council chamber.

Ordered that M.^r Johnson and three more do present the address.

The house adjourns 'til 2. o'clock

Post meridiem. The house met according to adjournment.

The house adjourns 'til Monday morning 9 o'clock

Monday May 30.th

L. H. J.
Liber No. 52
May 30

The house met according to adjournment. The members were called and all appeared as on Saturday except M.^r Ringgold, M.^r Gresham, M.^r Ridgley, M.^r Moale, M.^r Gantt and M.^r Baxter.

The proceedings of Saturday were read. M.^r Gantt appeared in the house.

M.^r M. Tilghman brings in and delivers to M.^r speaker the following report

By the committee of elections and privileges, May 28.th 1768.

Your committee having inspected the writs directed to the several Sheriffs and returns thereon, for electing deputies and delegates to serve in this general assembly, do find that Mess.^{rs} William Thomas, Thomas Key, John Eden and Daniel Wolstenholme delegates of saint Marys County are duly returned.

That Mess.^{rs} Francis Ware, William Smallwood, John Hanson jun.^r and Joseph Hanson Harrison delegates of Charles County are duly returned.

That Mess.^{rs} Benjamin Mackall (son of Ja.^s Jn.^o) Young Parran, Edward Gantt and Charles Grahame delegates of Calvert County are duly returned.

That Mess.^{rs} Samuel Chase, Brice Thomas Beale Worthington, Thomas Johnson jun.^r and Henry Griffith delegates of Ann Arundel County are duly returned.

That Mess.^{rs} John Hall and William Paca delegates of the City of Annapolis are duly returned.

That Mess.^{rs} Robert Lloyd, Edward Tilghman, James Hollyday and Thomas Wright delegates for Queen Anns County are duly returned.

That Mess.^{rs} John Goldsborough, Matthew Tilghman, James Dickinson and Nicholas Thomas, delegates of Talbot County are duly returned.

That Mess.^{rs} Henry Hooper, Daniel Sullivane, Philemon Lecompte and Henry Steele delegates of Dorchester County are duly returned.

That Mess.^{rs} Levin Gale, Samuel Wilson, William Hayward, and Thomas Dashiell delegates of Somerset County, are duly returned.

That Mess.^{rs} Robert Buchannan, Thomas Ringgold, Stephen Bordley, and Richard Gresham, delegates of Kent County, are duly returned.

That Mess.^{rs} William Allen, Parker Selby, and Joseph Dashiell delegates of Worcester County are duly returned, and that Zadock Purnel is returned a delegate of said County; but that in his indenture, there is an omission of the following words viz.^t "to those things which then and there by the favor of God shall happen to be ordained, by the advice and."

L. H. J. That Mess.^{rs} John Ridgley, Thomas Cockey Deye, John Moale and
 Liber No. 52 Robert Adair, are returned as delegates of Baltimore County; but
 May 30 the names of the subscribing electors are not inserted in the body
 of the indentures.

p. 499 That Mess.^{rs} Josias Beall, Robert Tyler, William Murdock and
 Francis Waring are returned as delegates of Prince Georges County,
 but the names of the subscribing electors are not inscribed in the
 body of the indentures, and the sheriff and the electors are of the
 one part, and the delegate of the other in each of the indentures.

That Mess.^{rs} John Veazy, William Ward, William Baxter, and
 Henry Baker are returned as delegates of Cæcil County; but that
 the words of their indentures empowering them to act, are as follow
 viz.^t "full and sufficient power for themselves and the whole com-
 monality of the same County, to do, and consent to those things
 which shall happen to be brought and laid before the said assembly,
 upon the business and affairs to be transacted," which words your
 committee apprehend are not agreeable to the directions of the writ.

That Mess.^{rs} William Lockett, Thomas Cresap, Joseph Chapline,
 and Thomas Jennings, are returned as delegates of Frederick County;
 but the names of the subscribing electors are not inserted in the body
 of the indentures. Which is humbly submitted to the consideration
 of your honorable house.

Sign'd by order Edward Ford clk

M.^r Joseph Hanson Harrison, a delegate returned for Charles
 County appeared in the house

Ordered that M.^r Smallwood and M.^r Ware do go with the gentle-
 man to the upper house to see him qualified; They return and acquaint
 M.^r speaker they saw him qualified in the usual manner.

The gentleman took his seat in the house. The house adjourn'd
 'til 2. o'clock.

Post Meridiem. The house met according to adjournment. M.^r
 Ridgley, M.^r Moale, and M.^r Baxter appeared in the house.

On motion, leave given to bring in a bill, for the adjournment of
 Talbot, Cæcil, and Baltimore County courts: Ordered that M.^r
 Hayward, M.^r Bordley and M.^r Hall do prepare and bring in the
 same.

On motion leave given to bring in a bill to prevent the evils arising
 from the manumission of slaves. Ordered that M.^r M Tilghman,
 M.^r Hollyday, M.^r Dickinson, M.^r N. Thomas and M.^r Hayward
 do prepare and bring in the same.

On motion, leave given to bring in a bill for the better regulation
 of the sheriffs office, and further advancement of justice within this
 province. Ordered that M.^r Bordley, M.^r Johnson, M.^r Chase, M.^r
 Paca and M.^r Jennings do prepare and bring in the same.

On motion, leave given to bring in a bill for the relief of the

poor within the several Counties therein mentioned. Ordered that M.^r Chase, M.^r Allen, M.^r Hollyday, M.^r Hall, M.^r M Tilghman and M.^r Johnson do prepare and bring in the same.

L. H. J.
Liber No. 52
May 30

On motion, leave given to bring in a bill for regulating the commissions and salaries of the judges of the provincial court. Ordered that M.^r Chase, M.^r Murdock, M.^r M Tilghman, M.^r Hollyday, M.^r Wolstenholme, M.^r Hayward, M.^r Hall, M.^r Johnson, M.^r Allen, M.^r Steele, M.^r Jennings, M.^r Buchanan and M.^r Grahame, be a committee to make an estimate of the salaries of three judges of the provincial court, and also to consider of ways and means to defray the expense thereof, and report the same.

On motion, leave given to bring in a bill for lengthening the time of inspecting tobacco in Frederick and Baltimore Counties, and at Elk Ridge landing, in Ann Arundel County. Ordered that M.^r Jennings, M.^r Bordley, M.^r Johnson and M.^r Chase do prepare and bring in the same.

On motion, leave given to bring in a bill to prevent the exportation of flour, staves, and shingles, not merchantable from the town of Baltimore in Baltimore County, and to regulate the weight of hay, and measure of grain, salt, flaxseed and fire-wood within the said town. Ordered that M.^r Chase, M.^r Moale, M.^r Johnson, M.^r Ridgely, M.^r Adair, M.^r Hollyday and M.^r Deye, do prepare and bring in the same.

Walter Dulany esquire from the upper house delivers to M.^r speaker, the petition of the inhabitants of Chester town, the petition of Ann Catharine Green, the petition of the reverend M.^r M.^cPherson, the petition of sundry inhabitants of Kent County; the petition from the vestry of Chester Parish, in Kent County; and a petition from a number of the inhabitants of the County of Cæcil. Which petitions were severally indorsed: "May 30.th 1768: Read and referred to the consideration of the lower house of assembly.

Sign'd by order U. Scott cl: up: ho:

John Ridout esquire from the upper house delivers to M.^r speaker the petition of the inhabitants of Baltimore County, thus indorsed: "Read and referred to the consideration of the lower house of assembly

Signed by order U. Scott clk up: ho:

Which petitions were severally read here and ordered to lie on the table.

The house adjourns 'til to morrow morning 9. o'clock

Tuesday May 31.st

May 31

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read. M.^r Ringgold appeared in the house.

L. H. J.
Liber No. 52
May 31
p. 500

Ordered, that M.^r Hanson be added to the committee appointed to inspect the accounts and proceedings of the commissioners appointed by virtue of the act for the payment of the public claims, for emitting bills of credit and for other purposes therein mentioned.

Ordered that M.^r Worthington, M.^r N. Thomas, and M.^r Bordley be added to the committee appointed to inspect into the several public offices, and report to the house the state and condition of them.

Ordered that M.^r Ringgold and M.^r Bordley be added to the committee appointed to make an estimate of the salaries of three judges of the provincial court and also to consider of ways and means to defray the expence thereof, and report the same.

The petition of the inhabitants of Chestertown, read a second time, and leave given to bring in a bill agreeable to the prayer thereof. Ordered that M.^r Ringgold, M.^r Bordley, M.^r Buchannan, M.^r Hollyday, M.^r M Tilghman and M.^r Hall do prepare and bring in the same.

M.^r Hayward brings in and delivers to M.^r speaker, a bill entituled, an act for the adjournment and continuance of Talbot, Baltimore, and Cæcil County courts. Which is read the first time and ordered to lie on the table. M.^r Chase brings in and delivers to M.^r speaker, the following report

By the committee appointed to make an estimate of the salaries of three judges of the provincial court, and also to consider of ways and means to defray the expence thereof, and report the same, May 31.st 1768.

Your committee are of opinion, that the annual expence for the support and maintenance of the said judges, will amount, as appears by the following estimate, to	} £1466.13.4
The chief judges salary, a year.....	£666.13.4
The two puisne judges at £400. each	} 800. 0.0
p annum	
	£1466.13.4

For defraying of which annual expence, your committee beg leave to recommend to the honorable house, the following funds.

A tax on ordinary licences.....at £4.....	£800. 0.0
A tax on hawkers and pedlars.....at £4.....	80. 0.0
A tax on riding carriage wheels....at 4s.....	480. 0.0
A tax on every judgment to be rendered in the provincial court in civil causes, including common recovery, at 8s.....	} 120. 0.0
	£1480. 0.0

All which is submitted to the consideration of the honorable house.

L. H. J.
Liber No. 52
May 31

Sign'd per order John Duckett clk com.

Which is read and ordered to lie on the table.

On reading, the second time by especial order, the bill entituled an act for the adjournment and continuance of Talbot, Baltimore, and Cæcil County courts: The question was put, whether that part of the said bill which relates to Baltimore County; be struck out? Resolved in the negative. The question was then put, whether the said bill do pass? Resolved in the affirmative.

Ordered that M.^r Hayward and M.^r Johnson do go to the upper house with the said bill.

The petition of sundry inhabitants of Baltimore County, read a second time. Ordered that the same be taken into consideration on Monday next.

John Beale Bordley esquire from the upper house delivers to M.^r speaker the bill, entituled an act for the adjournment and continuance of Talbot, Baltimore, and Cæcil County courts indorsed, "By the upper house of assembly, May 31.st 1768. Read the first and second time by an especial order, and will pass.

Sign'd by order U. Scott clk up: ho:

Which bill was read here and pass'd for ingrossing.

Also the petition of Robert Henwood of Ann Arundel County; thus indorsed. May 31.st 1768. Read and referred to the consideration of the lower house of assembly.

Sign'd by order U. Scott clk up: ho:

Which petition was read here the first time and ordered to lie on the table

The house adjourns till 2 o'clock

Post meridiem. The house met according to adjournment

On motion, leave given to bring in a bill to prevent any obstruction of the navigation, in the River Potowmack. Ordered that M.^r Cresap, M.^r Johnson, M.^r Jennings, M.^r Baker, and M.^r Chase do prepare and bring in the same. p. 501

On motion leave given, to bring in a bill for the preservation of the breed of fish in the Rivers Susquehannah and Patuxent. Ordered that M.^r Baker, M.^r Chase, M.^r Bordley, M.^r Hall and M.^r Tyler do prepare and bring in the same.

The petition of the minister, vestrymen, and churchwardens of Chester parish, in Kent County, read a second time; and ordered that the committee appointed to prepare a bill agreeable to the petition of the inhabitants of Chestertown do include the matters prayed for in the first mentioned petition, in the said bill.

The ingross'd bill entituled an act for the adjournment and con-

L. H. J. tinuance of Talbot, Baltimore, and Cæcil County courts; was read
 Liber No. 52 and assented to, and sent to the upper house with the paper bill by
 May 31 M.^r Hollyday and M.^r Bordley

Benedict Calvert esquire from the upper house, delivers to M.^r speaker the paper bill entituled an act for the adjournment and continuance of Talbot, Baltimore, and Cæcil County courts; indorsed "By the upper house of assembly May 31.st 1768. The ingross'd bill whereof this is the original, read and assented to.

Sign'd by order U: Scott clk up: ho:

On motion, leave given to bring in a bill, entituled an act for raising pence sterling for every hogshhead of tobacco exported out of this province for the support of an agent at London, for the service of this province. Ordered that M.^r M Tilghman, M.^r Ringgold, M.^r Hall, and M.^r Chase do prepare and bring in the same

The petition of sundry inhabitants of Kent County read the second time and rejected, for want of that notice being given which is required by a resolve of this house

The house adjourns 'til to morrow morning 9 o'clock

June 1

Wednesday June 1.st 1768

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read.

On motion leave given to bring in a bill to repeal part of an act of assembly of this province, entitled an act laying an imposition on negroes, and on several sorts of liquors imported; and also on Irish servants to prevent the importing too great a number of Irish papists into this province; and the supplementary act thereto. Ordered that M.^r Baker and M.^r Bordley do prepare and bring in the same.

Ordered, that M.^r Cresap, M.^r Smallwood, M.^r Ware, M.^r Purnel, and M.^r Griffith be a committee to inspect the state and condition of the arms and ammunition, and make report thereof to the house.

On motion, leave given to bring in a bill, entitled, a supplementary act to an act entitled an act to establish a Road from Hunting Creek in Dorchester County to dover in Talbot County. Ordered that M.^r Sullivane, M.^r Steele, M.^r Hooper and M.^r Goldsborough do prepare and bring in the same.

The petition of a number of inhabitants of the County of Cæcil, read the second time, and rejected; it not appearing to the house, that advertisements have been set up giving notice of their intention to prefer the said petition, agreeable to the resolve of the lower house of assembly, in May sessions 1766.

M.^r Parker Selbey, a delegate returned for Worcester County; appeared in the house. Ordered that M.^r Allen and M.^r Purnel do

go with the gentleman to the upper house to see him qualified. They return and acquaint M.^r speaker they saw him qualified in the usual manner. The gentleman took his seat in the house.

L. H. J.
Liber No. 52
June 1

M.^r speaker in pursuance of the order of the house at the last session, laid before the house the proceedings of the committee of correspondence during the recess of assembly; as also the several letters that had passed between Charles Garth esquire and the said committee: All which are ordered to lie on the table for the perusal of the members.

John Ridout esquire from the upper house delivers to M.^r speaker the petition of the rector, vestrymen, and churchwardens of Stepney parish in Somerset and Worcester Counties. Which is read the first time and ordered to lie on the table.

On motion, leave given to bring in a bill to remedy the inconveniencies arising from the loss of some proceedings in saint Marys County Court: Ordered that M.^r Hall, M.^r Eden, M.^r Wolstenholme, and M.^r Key, do prepare and bring in the same.

The house adjourns 'til 2. o'clock

Post Meridiem. The house met according to adjournment. M.^r Gresham appeared in the house.

The petition of John Hammond Dorsey of Baltimore County, one of the candidates at the late general election for that County complaining of an undue election of M.^r Ridgley, M.^r Moale, and M.^r Adair, three of the sitting members; and also against the sheriff of that County for mal-conduct in the election; read the first Time and ordered to lie on the table.

On reading the second time, the report of the committee appointed to make an estimate of the salaries of the three judges of the provincial court &c.^a the house concurs with the first and second articles of the ways and means. Upon reading the third article, respecting the tax upon carriage wheels; the question was put, whether the house concurs therewith? Resolved in the affirmative

For the affirmative

Messieurs	Wolstenholme	Smallwood	Beall
	Eden	Harrison	Tyler
	Key	Hayward	Murdock
	Chase	T. Dashiell	Hall
	Worthington	N. Thomas	Hollyday
	Johnson	Sullivan	Alleen
	Griffith	Ridgley	Selby
	Mackall	Deye	Purnel
	Parran	Moale	J. Dashiell
	Gantt	Adair	Cresap
	Grahame	Veazy	Jennings
	Hanson	Baxter	
	Ware	Baker	

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p. 502

Mess.^{rs}
Buchannan
Ringgold
Bordley
Dickinson

For the Negative

Goldsborough
M. Tilghman
Hooper
Steele

Ward
Wright

[10]

The house concurs with the foregoing report; and ordered that the committee appointed to make said report, do prepare and bring in a bill accordingly.

On motion, leave given to bring in a bill to promote and forward the appeal now depending between the lord proprietary and the people of this province. Ordered that M.^r Murdock; M.^r Johnson, M.^r Hall, M.^r Ringgold, M.^r Hollyday M.^r M Tilghman, M.^r Jennings and M.^r Chase do prepare and bring in the same.

On reading the second time, the petition of John Hammond Dorsey; resolved that the same be taken into consideration on Friday the tenth day of this instant

Ordered that Daniel Chamier, the sheriff of Baltimore County, have notice given him by the serjeant at arms, to attend the hearing of the said petition; and that the clerk do make out a copy of this order, and of the petition to be sent to the sheriff

Ordered that the clerk do make out all such summonses as shall be applied for by any of the parties

Samuel Chamberlaine esquire from the upper house delivers to M.^r speaker the petition of Edward Bromwell of Talbot County; the petition of sundry inhabitants of Dorchester County; the petition of Elizabeth Walls of Annapolis; and the petition of Spedding Bromwell of Talbot County; thus indorsed: "June 1.st 1768: Read and referred to the consideration of the lower house of assembly

Sign'd by order U. Scott clk up: ho:

Which petitions were severally read here, the first time and ordered to lie on the table.

The house adjourns till to morrow morning 9 o'clock

June 2

Thursday June 2.^d

The house met according to adjournment. The members were called, and all appeared as on yesterday.

The proceedings of yesterday were read. M.^r Hayward and M.^r Buchannan have leave of absence 'til Monday next

Samuel Chamberlaine esquire from the upper house delivers to M.^r speaker the following message.

By the upper house of assembly June 2.^d 1768.

Gentlemen,

We herewith send you copies of two letters laid before this house by Samuel Chamberlaine esquire, naval officer of Oxford, and colonel

Charles Hammond, treasurer of the western shore. By the first and the indorsement thereon, you will see that so long ago as the year 1730, that gentleman remitted to the late M.^r William Hunt, merchant in London, bills of exchange for £381.18.10 sterling, the same being a balance then due to this province, from the estate of Robert Ungle esquire; and by the second to colonel Hammond; that there is a further sum of £93.8. due to this province, from M.^r William Hunts estate, which it seems was remitted to him many years ago; both which sums, captain Thomas Hunt, brother, and executor of the late M.^r William Hunt is ready and willing to pay to any person that may be legally authorized to receive them

L. H. J.
Liber No. 52
June 2

Sign'd by order U: Scott clk up: ho:

M.^r N. Thomas has leave of absence 'til Monday next

Henry Wilkins is appointed clerk to the several committees of this house.

Ordered that the clerk do inform M.^r Ghiselin thereof, and desire him to qualify said Wilkins.

M.^r Ghiselin certifies to the house, that Henry Wilkins is qualified in the usual manner

The house adjourns till 2. o'clock

Post meridiem. The house met &c.^a The petition of Elizabeth Walls read a second time and rejected

On reading the second time the petitions of Edward Bromwell, and Spedding Bromwell of Talbot County: Ordered that M.^r Goldsborough, M.^r M. Tilghman, M.^r Dickinson, and M.^r Hall be a committee to state the facts relating thereto, and make report thereof to the house.

Benedict Calvert esquire from the upper house, delivers to M.^r speaker the petition of Henry Darnall jun.^r Rachel Darnall, Wife to the said Henry Darnall; Mary Darnall, Daughter to the said Henry and Rachel; and of Robert Darnall, uncle to the aforesaid Mary Darnall; indorsed "By the upper house of assembly June 2.^d 1768: Read and referred to the consideration of the lower house of assembly

Sign'd by order, U: Scott clk: up: ho:

Which petition was read here the first and second time by especial order, and granted. Leave given to bring in a bill according to prayer. The bill was accordingly brought in, and read the first time and ordered to lie on the table. p. 503

M.^r Ridgley brings in and delivers to M.^r speaker, a bill entitled, an act to prevent the exportation of flour, staves and shingles not merchantable, from the town of Baltimore in Baltimore County, and to regulate the weight of hay, and measure of grain, salt, flax-seed, and fire-wood, within the said town. Which was read the first time and ordered to lie on the table

L. H. J.
Liber No. 52
June 2

Samuel Chamberlaine esquire from the upper house delivers to M.^r speaker the petition of Joseph Scott, indorsed, "the 2.^d June 1768: Read and referred to the consideration of the lower house of assembly: Which was read here, and ordered to lie on the table. The house adjourns 'til to morrow morning 9 o'clock

June 3

Friday June 3.^d

The house met according to adjournment. The members were called and all appeared, as on yesterday, except M.^r Hayward, M.^r Worthington, M.^r N. Thomas, and M.^r Buchannan. The proceedings of yesterday were read. The bill entitled, an act to enable Mary Darnall, an infant, to enter into, and accept of a marriage settlement and agreements; read the second time and will pass: Sent to the upper house by M.^r Goldsborough and M.^r Johnson.

M.^r Jennings brings in and delivers to M.^r speaker a bill entitled an act for lengthening the time of inspecting tobacco in Frederick and Baltimore Counties, and at Elk Ridge Warehouse in Ann Arundel County: Which is read the first time and ordered to lie on the table.

M.^r Hall brings in and delivers to M.^r speaker a bill entitled an act to remedy the inconveniencies arising from the loss of some proceedings in saint Marys County court: Which is read the first time and ordered to lie on the table.

On taking into consideration the order of the day relating to the variation of the compass &c.^a: Resolved that the same be postponed 'til tuesday next

The petition of the rector, vestrymen, and churchwardens of Stepney parish in Somerset and Worcester Counties, read a second time and granted.

Ordered that M.^r Allen, M.^r J. Dashiell, M.^r Purnell, M.^r Selby, and M.^r T. Dashiell do prepare and bring in a bill agreeable to the prayer of the said petition.

John Ridout esquire from the upper house delivers to M.^r speaker the bill entitled an act to enable Mary Darnall, an infant, to enter into and accept a marriage settlement and agreement; indorsed, "By the upper house of assembly June 3.^d 1768: Read the first and second time by an especial order and will pass.

Sign'd by order UScott clk up. ho:

Which bill was read here and pass'd for ingrossing.

The house adjourns till 2. o'clock

Post meridiem. The house met according to adjournment

The house adjourns 'til tomorrow morning 9 o'clock

Saturday June the 4.th

L. H. J.
Liber No. 52
June 4

The house met according to adjournment. The members were called, and all appeared as on yesterday. The proceedings of yesterday were read. M.^r M. Tilghman has leave of absence for a few days.

M.^r Moale, M.^r Ridgley, M.^r Baxter and M.^r Adair have leave of absence 'til Monday next.

Ordered that the committee of grievances and Courts of justice do send for all such papers, persons and things as they may find necessary in order to enable them to execute the duties of the said committee

The ingross'd bill entitled an act to enable Mary Darnal, an infant, to enter into and accept of a marriage settlement and agreement; was read and assented to; and with the paper bill sent to the upper house by M.^r Hall and M.^r Hollyday.

John Beal Bordley esquire from the upper house, delivers to M.^r Speaker the paper bill entitled an act to enable Mary Darnal an infant, to enter into and accept of a marriage settlement and agreement; indorsed "By the upper house of assembly June 4.th 1768 The ingross'd bill, whereof this is the original, read and assented to:

Signed by order U. Scott clk up: ho:

Samuel Chamberlaine and Daniel Dulany esquires from the upper house acquaint M.^r speaker that the governor requires the attendance of the members of the lower house, immediately, in the upper house.

M.^r speaker left the chair, and (with the other members of the lower house) went to the upper house, and there presented to the governor the following ingross'd bills. p. 504

An Act for the adjournment and continuance of Talbot, Baltimore, and Cæcil County courts.

An act to enable Mary Darnal, an infant, to enter into, and accept of a marriage settlement and agreement

Which bills his excellency pass'd into laws in the usual manner.

M.^r speaker (with the rest of the members) returned to the lower house, and resumed the chair

M.^r Murdock and M.^r Gantt have leave of absence 'til Monday next

John Ridout esquire from the upper house delivers to M.^r speaker the petition of Thomas Harrison; indorsed "June 4.th 1768: Read and referred to the consideration of the lower house of assembly

Sign'd by order U. Scott clk: up: ho:

The house adjourns 'til 2. o'clock.

Post meridiem. The house met according to adjournment. M.^r Tyler, and M^r Griffith have leave of absence 'til Monday next. The petition of Thomas Harrison read the first time, and ordered to lie on the table.

L. H. J.
Liber No. 52
June 4

Daniel Dulany esquire from the upper house delivers to M.^r speaker, the petition of Robert Darnal and Sarah his wife; Henry Steele, and Ann his wife; and John Henry, and Dorothy his wife; indorsed "By the upper house of Assembly, June 4.th 1768: Read and referred to the consideration of the lower house of assembly.

Signed by order UScott clk: up. ho

Which petition was read here the first and second time by an especial order and granted.

On motion, leave given to bring in a bill to prevent the raising of swine and geese, in Georgetown in Kent County and in Snow Hill town in Worcester County.

Ordered that M.^r Ringgold, M.^r Gresham and M.^r Bordley do prepare and bring in the same.

Resolved, that the letters from the speaker of the house of burgeses for the colony of Virginia, and the speaker of the house of representatives, for Massachusetts Bay, be taken into consideration on Wednesday next

The bill entitled an act to prevent the exportation of flour, staves, and shingles, not merchantable, from the town of Baltimore in Baltimore County, and to regulate the weight of hay and measure of grain, salt flax-seed, and fire-wood within the said town, was read the second time. The question was put, whether the said bill do pass? Resolved in the affirmative

For the affirmative

Mess. ^{rs}	Wolstenholme	Harrison	Veazy
	Eden	Dickinson	Ward
	Ringgold	Goldsborough	Baker
	Gresham	Sullivan	Hollyday
	Chase	Hooper	Allen
	Johnson	Steele	Selbey
	Mackall	Ridgley	Purnell
	Grahame	Deye	J. Dashiel
Hanson	Moale		
Ware	Adair		

[28]

For the negative

Mess. ^{rs}	Bordley	Wright	Jennings
	Hall	Cresap	Luckett

[6]

Ordered, that the clerk do issue such summons's as M.^r Moale may apply for, in support of the petition of the inhabitants of Baltimore County, for the removal of the court house

The House adjourns 'til Monday morning 9. o'clock

Monday June 6.th

L. H. J.
Liber No. 52
June 6

The house met according to adjournment. The members were called and all appeared as on Saturday, except M.^r Griffith, M.^r Gantt, M.^r M Tilghman, M.^r Ridgley, M.^r Moale, M.^r Adair, M.^r Baxter and M.^r Murdock. The proceedings of Saturday were read.

M.^r Hall brings in and delivers to M.^r speaker a bill entitled an act for raising pence sterling for every hogshead of tobacco exported out of this province; for the support of an Agent at London for the service of this province: Which is read the first time and ordered to lie on the table.

M.^r Griffith appeared in the house.

The bill entitled an act to prevent the exportation of flour, staves and shingles &c.^a sent to the upper house by M.^r Hanson and M.^r Sullivane.

Walter Dulany esquire from the upper house delivers to M.^r speaker the petition of Robert Lamar and the petition of Thomas Jennings, which were severally indorsed. "By the upper house of assembly June 6.th 1768 Read and referred to the consideration of the lower house of assembly. p. 505

Sign'd by order UScott cl: up: ho:

Which petitions were read here the first time and ordered to lie on the table.

On motion, ordered that a bill be brought in to enable Thomas Hunt executor of William Hunt, late of London, merchant, deceased and Jonathan Smyth executive of Peter Bayard, late of Cecil county deceased; to pay the monies therein mentioned; and that M.^r Baker, M.^r Hollyday and M.^r Ringgold do prepare and bring in the same.

Daniel Dulany esquire from the upper house delivers to M.^r speaker a bill intituled an act for recovery of certain americiaments and also upon defaults on executions; indorsed "By the upper house of assembly June 3.^d 1768: Read the first time and ordered to lie on the table.

Sign'd by order U Scott clk up: ho:

By the upper house of assembly June 6.th 1768: Read the second time and will pass.

Sign'd by order: U Scott clk up: ho:

Which bill was read here the first time and ordered to lie on the table.

The house adjourns til 2. o'clock.

Post meridiem. The house met according to adjournment

M.^r Murdock, M.^r Hayward, M.^r N. Thomas, M.^r Worthington, M.^r Baxter, M.^r Adair, M.^r Ridgley and M.^r Moale appeared in the house.

L. H. J. The governor communicates to M.^r speaker the following message
 Liber No. 52
 June 6 Gentlemen of the lower house of assembly,

It having been represented to me, that negro Daniel, a slave of M.^r James Adams, and negro Phill, belonging to M.^r Roger Adams, having been concerned in breaking open the store of M.^r Clement Baily, on Nanticoke, were apprehended and committed to the custody of a constable, in order to be carried to prison; that before he could convey them thither they made their escape; and altho' many attempts have been since made to take them, they still remain at large in the neighbourhood (being, as is supposed, countenanced and protected by some white people) and threaten to burn the houses of such persons as have been or may be active in endeavouring to secure them; which threats have deterred many from exerting themselves. I submit it therefore to your consideration whether it would not be a very proper step on such an occasion, to offer a reward for the apprehending such audacious rogues; and if you approve of the measure, I will by proclamation offer such reward as may be thought proper.

June 6.th 1768.

Hor^o Sharpe

John Beal Bordley esquire from the upper house, delivers to M.^r speaker, the petition of sundry inhabitants of Baltimore County, for the continuance of the court house of said County at the town of Joppa; indorsed: "By the upper house of assembly June 6.th 1768. Read and referred to the consideration of the lower house of assembly.

Sign'd by order U. Scott clk: up: ho:

Which petition was read the first time and ordered to lie on the table.

The above petition read the second time.

The order of the day being read, the house took into consideration the petition of the inhabitants of Baltimore County, for a removal of the court house. M.^r Buchannan appeared in the house.

On consideration of the last mentioned petition of the inhabitants of Baltimore County; the question was put whether the said petition be granted? Resolved in the affirmative.

For the affirmative

	Wolstenholme	Harrison	Baxter
	Eden	Hayward	Baker
	Key	T. Dashiel	Tyler
	Ringgold	Dickinson	Murdock
	Gresham	Goldsborough	Hall
	Chase	N. Thomas	Hollyday
	Worthington	Sullivan	Wright

Messieurs	Johnson	Hooper	Allen	L. H. J. Liber No. 52 June 6
	Griffith	Steele	Selby	
	Parran	Ridgley	Purnell	
	Grahame	Moale	J. Dashiell	
	Hanson	Adair	Cresap	
	Ware	Veazy	Jennings	
	Smallwood	Ward	Luckett	[42]

For the negative

Mess. ^{rs}	Buchannan	Deye	Paca	
	Bordley	Beall		[5]

Ordered that a bill be brought in according to the prayer of the petitioners; and that M.^r Jennings, M.^r Chase, M.^r Johnson, M.^r Ridgley, M.^r Moale, and M.^r Adair do prepare and bring in the same.

The house adjourns 'til to morrow morning 9 o'clock

Tuesday June 7.th 1768.

p. 506
June 7

The house met according to adjournment. The members were called and all appeared as on yesterday.

The proceedings of yesterday were read. The governors message of yesterday, read a second time.

Ordered that M.^r Hall, M.^r Johnson, and M.^r Ringgold do prepare an address to his excellency in answer thereto.

The petition of Joseph Scott, read the second time and granted; and leave given to bring in a bill according to prayer. M.^r Gantt appeared in the house

M.^r Tyler brings in and delivers to M.^r speaker the following report

By the committee appointed by your honorable house to inspect into the records and proceedings in the several public offices, and to report and state the condition thereof

Your committee have examined into the state and condition of the Land office, and find that the records, from the year 1745, to the books now in use, are marked "examined"; and by comparing some of them with the original papers they appear to have been carefully done. But we find, that the records of the certificates, preceding that date, are not marked, nor do we believe they ever were examined; for, comparing these with many of the originals, very few agree. Some books in this office, require to be new bound; and the records, in general want covers to save their binding. The general alphabets, and original certificates, before the year 1745, remain in the same bad state as was reported to your honorable house in May session 1766.

L. H. J.
Liber No. 52
June 7

Your committee have likewise examined the state of the commissarys office, and find, that the records from the year 1764, to the books now in use, are marked "examined"; and by comparing them with the originals, they appear very correct. But we find, there are very few of the Records of wills &c.^a preceding that date, marked "examined," and that such as are, appear to have been done by very careless hands; for, in comparing them with the originals, we find very material errors; and are informed by M.^r Valette, the present register, that in the course of his business in the said office, he has observed those records are generally incorrect; so much so, that in making copies he is frequently obliged to have recourse to the original papers. We find a bundle, containing thirty five accounts exhibited in 1759 and 1760 not yet recorded. The general alphabet for wills, in this office, remains in the same state as was reported in the year 1766; and the alphabets in general, belonging to the several books, which are not entered in the general alphabet, are much in pieces and defaced; and many books, which contain wills, have leaves entirely loose, and some of them much defaced. That there are several books containing wills, which require binding. The original papers in this office appear to be well taken care of

Your committee have also examined the state of the secretarys office and find that the land records and the several acts of assembly are recorded and examined to the present time, and that the judgments are entered up to the year 1764 inclusive, except a small part of October term 1755, and October Term 1756; and that there is no alphabet to liber G. S. N.^o 1 which contains judgments

Your committee have also examined the state of the assembly office, and find that the books and papers lie in the greatest confusion. The proceedings are all entered up to the end of May session 1766, but appear to have been recorded by persons who wrote bad and incorrect hands; and your committee beg leave to annex a list of books in the said offices added since the last report. All which is submitted to the consideration of the honorable house

Sign'd 7^p order John Duckett Cl: Com

A List of books in the Land office

	Liber B. C. and G. S. N. ^o 28	
	ditto ditto 29	
	ditto ditto 31	} Patents.
	ditto ditto 32	
	ditto ditto 33	
p. 507	ditto ditto 30	} Certificates
	ditto ditto 34	
	Liber W. S. 7	} Warrants & assignments
	ditto ditto 8	

A List of books in the commissarys office

L. H. J.
Liber No. 52
June 7

Titles	N. ^o	Dates.	Contents
Liber C. G.	2	1766	 Wills
ditto..ditto.....	3		
ditto..ditto.....	4		
ditto..ditto.....	5	1766	 Inventories
ditto..ditto.....	6		
[ditto..ditto.....	7	1767	 Inventories—see Green]
ditto..ditto.....	4	1766	 Accounts
ditto..ditto.....	5		
Liber W. D.	1	1767	 Wills
ditto..ditto.....	1		
ditto..ditto.....	2	1767	 Accounts
ditto..ditto.....	3		
Liber W. D.	1	1767	 Inventories
ditto..ditto.....	2		
ditto..ditto.....	3		
ditto..ditto.....	4		
ditto..ditto.....	5		

A List of books in the secretarys office

Liber D. D.	No. 2	Judgments
ditto..ditto.....	3	
ditto..ditto.....	4	
ditto..ditto.....	5	
ditto..ditto.....	6	
ditto..ditto.....	7	

M.^r Ringgold brings in and delivers to M.^r speaker a bill entitled a supplementary act to the act entitled an act for creating a new parish in Kent County called Chester parish and for building a parish church, and enlarging a chapel of ease in the said parish: Which is read the first time and ordered to lie on the table.

Benedict Calvert esquire from the upper house delivers to M.^r speaker the petition of Rachel, Elizabeth and Mary Bacon; indorsed: "June 7.th 1768: Read and referred to the consideration of the lower house of assembly.

Sign'd by order U. Scott clk up: ho:

Which is read, and ordered to lie on the table.

The petition of Thomas Jennings read a second time and granted. Leave given to bring in a bill according to prayer

The petition of the reverend M.^r Macpherson read a second time. Ordered that M.^r Hanson, M.^r Ware, M.^r Smallwood, M.^r Harrison and M.^r Hall, be a committee to state the facts arising on said petition, and report the same.

L. H. J. The governor communicated to M.^r speaker the following
 Liber No. 52 message.
 June 7

Gentlemen of the lower house of assembly,

M.^r Ogden, the person empowered by Sir William Johnson, and by the Nanticoke indians to act on behalf of the latter, with respect to their disposal of their right to any lands within this province, having presented to me the inclosed petition which states a fact that I was not before apprised of; and which probably might, if it had been before communicated to you have induced you to come to a different resolution, on the petition of those indians; I take the liberty to recommend the same to your consideration, and M.^r Ogden will attend in order to give you all the information in his power

June 7.th 1768.

Hor.^o Sharpe

To his excellency Horatio Sharpe esquire; governor and commander in chief in and over the province of Maryland.

The petition of Amos Ogden, humbly sheweth, That a petition from the tribe of Nanticoke indians having been recommended by your excellency, to the consideration of the lower house of assembly of this province, representing that they being desirous of leaving
 p. 508 this province, and of incorporating themselves with the six nations, provided they might be permitted to dispose of certain lands which they hold in this province, by virtue of certain acts of assembly heretofore made in their favor. This petition in consequence of your excellencys recommendation aforesaid was taken into the consideration of the house, and an address thereupon given in to your excellency.

Now, your petitioner humbly apprehends, that the intention and desire of the said petition has not been fully understood by the house; owing, as your petitioner humbly conceives, to the want of such information, and explanation, as your petitioner could have given if he had been present when the said petition was taken into the consideration of the house.

Your petitioner humbly begs leave to inform your excellency that the above mentioned tribe of Nanticoke indians, have actually incorporated themselves with the six nations aforesaid. That there is now remaining on the said lands, an old woman, and two children only: That the said tribe of Nanticoke indians, being desirous of entirely withdrawing themselves from this province, are willing to accept of a very small compensation (in proportion to the actual value of the lands) in lieu of any claim, they or their heirs have in the said lands by virtue of the aforesaid acts of assembly; and would willingly, upon the payment of such small compensation, unto the petitioner, their attorney, give full possession of the lands which they hold, to such person or persons, as the lands would fall to of course, provided the said tribe of Nanticoke indians had entirely deserted them.

Your petitioner humbly prays that your excellency would be pleased to recommend this matter to the further consideration of the house, as your petitioner is now ready to give the house all the information in his power, with respect to this matter; and which he humbly conceives, will be satisfactory. And your petitioner will pray,

L. H. J.
Liber No. 52
June 7

Amos Ogden

Which are read the first time and ordered to lie on the table.

M.^r Bordley brings in and delivers to M.^r speaker a bill entitled an act for the better regulating the office of sheriff, and further advancement of justice within this province: Which is read the first time and ordered to lie on the table. The house adjourns 'til 2. o'clock

Post meridiem. The house met according to adjournment. M.^r Griffith has leave of absence 'til Thursday next. Resolved that no new business be moved for after Saturday next

The order of the day being read, the house postpones the consideration of that part of his excellencys speech, respecting the variation of the compass, til to morrow.

Captain Ogdens petition read the second time.

M.^r Joseph Chapline, a delegate returned for Frederick County; appeared in the house.

Ordered that M.^r Cresap, and M.^r Luckett do go with the gentleman to the upper house to see him qualified. They return and acquaint M.^r speaker, they saw him qualified in the usual manner. The gentleman took his seat in the house

M.^r Levin Gale, and M.^r Samuel Wilson, delegates returned for Somerset County; appeared in the house. Ordered that M.^r Hayward and M.^r T. Dashiell do go with the gentleman to the upper house to see them qualified. They return and acquaint M.^r speaker, they saw them qualified in the usual manner. The gentlemen took their seats in the house.

On taking into consideration the subject matter of the governors message of this day, and of Captain Ogdens petition, Ordered that M.^r Johnson, M.^r Ringgold, M.^r Allen, M.^r Jennings and M.^r Hall, do prepare and bring in a bill for granting to the Nanticoke indians, a compensation for the lands therein mentioned.

The bill entitled an act to remedy the inconveniencies arising from the loss of some of the proceedings in saint Marys County court: Read the second time and will pass. Sent to the upper house, by M.^r Wolstenholme and M.^r Eden.

M.^r Johnson brings in and delivers to M.^r speaker the following address.

L. H. J. To his excellency Horatio Sharpe esquire governor and commander
 Liber No. 52 in chief in and over the province of Maryland.
 June 7
 p. 509 The humble address of the house of delegates.

May it please your excellency

In answer to your excellency's message of Monday last, we are of opinion that the offer of a reward for apprehending Negroes, who are well known, and charged with felony, may probably in its consequences, induce a very heavy expence on the public and tend to lessen the activity and spirit with which they have been generally pursued, unless extraordinary rewards should be almost as constantly offered as crimes committed. It seems, from your excellencys Message, that negroes Phil and Daniel, are probably countenanced by white people, and thereby, if at all, will escape the public justice; from thence we are apprehensive, that an exertion of the magistrates power, may most effectually obviate Schemes so prejudicial to the community. Which is read and ordered to lie on the table

John Ridout esquire from the upper house, delivers to M.^r speaker, the petition of the visitors of Kent County free school; the petition of captain Pearis; and the petition of Samuel Cookson; which were severally indorsed: June 17.th 1768: Read and referred to the consideration of the lower house of Assembly.

Sign'd by order U. Scott clk up: ho:

Which petitions are severally read here and ordered to lie on the table.

The house adjourns til to morrow morning 9 o'clock

June 8

Wednesday, June 8th 1768.

The house met according to adjournment. The members were called and all appeared as on yesterday.

The proceedings of yesterday were read. M.^r M Tilghman appeared in the house.

On motion, leave given to withdraw the petition of the inhabitants of Cæcil County, preferred to this house and rejected.

The order of the day being read, the house took into consideration the letter from the speaker of the house of representatives of the Massachusetts Bay; and M.^r speaker is requested to write a respectful answer in the name of the house, to the same.

On reading the late acts of parliament imposing duties on the colonies for the sole purpose of raising a revenue; Unanimously Resolved, that a loyal, dutiful, and humble petition be prepared to be presented to his Majesty, on the subject matter thereof: Ordered that M.^r Murdock, M.^r Johnson, M.^r Ringgold, M.^r Hall,

M.^r Hollyday, M.^r M Tilghman and M.^r Jennings, do prepare and bring in the same.

L. H. J.
Liber No. 52
June 8

Benedict Calvert esquire from the upper house delivers to M.^r speaker a bill entitled an act to remedy the inconveniencies arising from the loss of some proceedings in saint Marys County court; indorsed "By the upper house of assembly, June 7.th 1768. Read the first time and ordered to lie on the table.

Sign'd by order UScott clk up: ho:

By the upper house of assembly, June 8.th 1768: Read the second time and will pass.

Sign'd by order UScott clk up: ho:

Which bill is read here and pass'd for ingrossing

On resuming the consideration of the order of the day, for taking into consideration that part of his excellency's speech, that respects the variation of the compass, M.^r Ringgold, M.^r Beall, M.^r Steele, M.^r Moale, M.^r Harrison, M.^r Dickinson, M.^r M Tilghman, M.^r Johnson and M.^r Wright are appointed a committee to confer with Mess.^{rs} Prigg and Calder, Mathematicians; and report to the house their opinions of the proper measures to be taken to remedy the evils arising therefrom.

On motion, leave given to bring in a bill entitled an additional supplementary act to the act entitled, an act for the establishment of religious worship &c.^a Ordered that M.^r Johnson, M.^r Hollyday, M.^r Ringgold, M.^r Murdock, M.^r M. Tilghman, M.^r Chase, M.^r Allen and M.^r Paca do prepare and bring in the same.

On motion, ordered that a bill be brought in for relief of such persons, being protestants, who conscientiously scruple the taking of an oath; and that M.^r Jennings, M.^r Lockett, M.^r Chase and M.^r Bordley do prepare and bring in the same

M.^r Moale brings in and delivers to M.^r speaker, a bill entitled an act for erecting a court house and public prison for Baltimore County in the town of Baltimore; and for making sale of the old court house and prison. p. 510

M.^r Ringgold brings in and delivers to M.^r speaker a bill entitled an act to prohibit raising of swine and geese in George town in Kent County and in Snow-Hill town in Worcester County.

M.^r Jennings brings in and delivers to M.^r speaker a bill entitled an act for turning part of a street called east street in the city of Annapolis, and for confirming the title of Thomas Jennings esquire to a lott of ground therein.

M.^r Baker brings in and delivers to M.^r speaker, a bill entitled an act for the preservation of the breed of fish All which bills are read the first time and ordered to lie on the table.

L. H. J. Charles Hammond esquire from the upper house delivers to M.^r
 Liber No. 52 speaker the petitions of sundry languishing prisoners in the several
 June 8 Jails within this province, a list of which was indorsed: "June 7.th
 1768: Read and referred to the consideration of the lower house of
 assembly.

Sign'd by order U. Scott clk up: ho:

The petition of Sarah Flinn and the petition of Henry Miles,
 indorsed "June 8.th 1768. Read and referred to the consideration
 of the lower house of assembly.

Sign'd by order, U Scott clk up: ho:

The house adjourns til 2 o'clock

Post meridiem. The house met according to adjournment. M.^r
 Griffith appeared in the house

The petitions of the languishing prisoners, and the petitions of
 Sarah Flinn, and Henry Miles are read the first time and ordered
 to lie on the table.

M.^r Murdock brings in, and delivers to M.^r speaker, a bill entitled
 an act to promote and forward the appeal now depending before
 his Majesty, in council, on behalf of the people of this province:
 Which is read the first time and ordered to lie on the table.

The house adjourns 'til to morrow morning 9 o'clock

June 9

Thursday June 9th 1768

The house met according to adjournment. The members were
 called and all appeared as on yesterday. The proceedings of yester-
 day were read.

The petition of Rachel, Elizabeth, and Mary Bacon, read a
 second time; and the question put, whether the said petition be
 granted? Resolved in the negative.

For the negative

Eden	Harrison	Ward
Buchanan	Hayward	Baxter
Ringgold	T. Dashiel	Beall
Bordley	Gale	Tyler
Chase	Wilson	Murdock
Worthington	Goldsborough	Hall
Johnson	M. Tilghman	Wright
Griffith	Sullivan	Allen
Parran	Ridgley	Selbey
Gantt	Deye	Purnel
Grahame	Moale	J. Dashiel
Smallwood	Veazy	Luckett

For the affirmative

Wolstenholme
Key
Gresham
Mackall
Ware

Dickinson
N. Thomas
Steele
Adair
Baker

Paca
Hollyday
Cresap
Jennings
Chapline

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Liber No. 52
June 9

[15]

John Ridout esquire, from the upper house delivers to M.^r speaker the petition of Mary Philpott indorsed "By the upper house of assembly June 9.th 1768. Read, and referred to the lower house of assembly

Signd by Order U Scott clk up. ho.

Which is read, and ordered to lie on the table.

John Beale Bordley esquire from the upper house delivers to M.^r speaker a bill entitled an act to prevent the exportation of flour, staves, and shingles not merchantable from the town of Baltimore in Baltimore County; and to regulate the weight of hay and measure of grain salt, flax-seed, and fire-wood within the said town, indorsed "By the upper house of assembly June 6.th 1768: Read the first time and ordered to lie on the table.

Sign'd by order U Scott cl: up: ho

"By the upper house of assembly June 9.th 1768: Read the second time and will pass"

Sign'd by order U Scott: clk up: ho:

Which bill was read here and pass'd for ingrossing

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The house adjourns til 2. o'clock

Post meridiem. The house met according to adjournment

On motion ordered that a bill be brought in to revive an act entitled an act to establish a market at the market house in Chester town in Kent County; and for the regulation of the said marktett

M.^r Smallwood brings in and delivers to M.^r speaker the following report

By the committee appointed to inspect into the state and condition of the arms and ammunition, and amounts relating thereto.

Your committee in obedience to the directions of the honorable house having examined the magazine in the city of Annapolis, do find there is now in the possession of the armourer, the following arms and ammunition viz.^t

In the council chamber

- 185. Musketts, with slings, which appear to be in good order
- 23. halberts
- 19. pikes

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30. trumpets
70. broad swords
15. daggers
78 buff slings
50 sword blades

Above the conference chamber

85 black hilted swords; 42 bright ditto; 15 cutlasses; 35 pistols; 2 new drums; 1 old ditto, a little damaged; 200. new bayonets, with cartouch boxes, and bullet moulds; 90 buff belts; 29 old bayonets; 86 carbines and short muskets; 57 old muskets, and carbines; 104 ditto, mostly without locks, and not worth repairing; 9 pistols, the locks broke; 4 pair holsters; 7 broken drums; 3 chests matches; 30 blue cases for musketts; 10 listed ditto for carbines; 5 half pikes; 15 pair drum sticks; 11 new carbine slings; 7 new cartouch boxes 9 belts for musketts; $\frac{1}{4}$ C. w.^t musket ball and great shott; 15 musketts in good order, being removed from the council chamber.

Under the conference chamber

382 muskets, very rusty, and many of the locks want repairing; 60 ditto mostly without locks; 35 musket barrels; 16 kegs musket ball, each $\frac{1}{2}$ C. w.^t 3 powder barrels, filled with ditto, 200 bayonets; 1500 gunflints.

In the powder house

12 barrels gun powder, each 100.^{lb} 65 $\frac{1}{2}$ ditto, each 50.^{lb} 15 small casks bar lead. 80 kegs musket ball, each $\frac{1}{2}$ C. w.^t 1 M gunflints.

On the half moon battery.

15 pieces cannon, upon a straight frame, without tomkins, clamps, or aprons; appear to be in good order and better fixed than heretofore.

Your committee find, that there has been no arms or ammunition received into the magazine, since the report made to the honorable house in the year 1765, and that the arms are in much the same condition as they were at that time except those in the council chamber, and the cannon on the battery, which appear to be in good order, and the latter better fixed than when that review was made.

Having applied to the armourer for the amounts of the arms and ammunition received into the magazine, and delivered out, he acquaints your committee, that he has delivered out none, since he has had the charge thereof, and that he never had any amounts relative thereto, given in to him

Your committee further beg leave to acquaint the honorable house that the arms in the cellar below the conference room, unless soon removed, will be much damaged by the rust, and imagine it would be most advisable for them to be sold for the benefit of the country;

as the late and present armourers sem to have neglected them very much.

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Your committee beg leave further to observe that the powder house is in a ruinous situation; that unless shortly repaired, will fall down, and the ammunition therein consequently destroyed. All which is submitted to the consideration of the honorable house.

Sign'd p order Edward Ford clk

The petition of Ann Catharine Green, read a second time, and granted. Ordered that M.^r Hall, M.^r Johnson and M.^r Jennings do prepare and bring in a bill according to prayer.

The bill entitled an act for raising four pence sterling on every hogshead of tobacco exported out of this province for the support of an agent at London, for the service of this province; read the second time, and will pass. Sent to the upper house by M.^r Goldsborough and M.^r Gra[ha]me. M.^r T. Dashiell has leave of absence.

The bill entitled, an act for the better regulating the office of sheriff, and further advancement of justice within this province; read the second time, and committed for amendments.

M.^r Ringgold brings in and delivers to M.^r speaker a bill entitled an act for granting to the Nanticoke indians a compensation for the lands therein mentioned: Which is read the first time and ordered to lie on the table.

M.^r Dickinson brings in and delivers to M.^r speaker, the following report.

By the committee appointed by the honorable the lower house of assembly to enquire into the truth of the facts set forth in the petitions of Spedding Bromwell, and Edward Bromwell of Talbot County.

Your committee finds that in the month of September in the year 1759, deeds of lease and release were made by Ellis Cunliffe, of Liverpool, heir and devisee of Foster Cunliffe esquire deceased, of the first part; the said Ellis Cunliffe, and Robert Cunliffe of Liverpool aforesaid, surviving copartners; and also acting executors of the said Foster Cunliffe, of the second part; and Jacob Bromwell of the town of Oxford, in Talbot County, of the third part; by which, five lotts in the said town of Oxford, appear to have been conveyed in fee to the said Jacob Bromwell, for and in consideration of the sum of eighty pounds Maryland currency. The said lotts as mentioned in the deeds are numbered 46, 47, 48, 49, and 51. Number fifty mentioned in the petition of Edward Bromwell appears to us not to be included in the said deeds or either of them. Your committee further find that after the said purchase by Jacob Bromwell he made a verbal contract or agreement with the petitioners for four lotts of land lying in the said town, to wit, with Spedding Bromwell for the lotts number 48 and 49; and with

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Edward Bromwell for the two lots, number 50 and 51; for which, each of the said parties was to allow the said Jacob Bromwell, the sum of seventy pounds current money. But your committee do not find any conveyance to the said Jacob Bromwell for the lot number 50.

Your committee further find, that the said Jacob Bromwell acknowledged at several times, that he had the purchase money for the said lots in his own hands; and that, in faith of the said parole, or verbal contract the said Spedding and Edward Bromwell entered into the said lots, so respectively by them purchased, and have held the same in their possession for several years; and that Spedding Bromwell hath built a new joiners shop, and repaired the dwelling house, and, made other valuable improvements; and that Edward Bromwell hath made some improvements and repairs, but not to any great value. All which facts will more fully appear by the said deeds and by the depositions of David Robinson, Alice Sherwood, and Mary Bromwell, to which your committee beg leave to refer.

Your committee further find, that before any deeds were made by the said Jacob Bromwell, he was unfortunately drowned in the month of February in the [year] 1766, and left issue Jacob Bromwell, a minor, of about six or seven years of age, his eldest son and heir at law. All which is submitted to the consideration of the honorable house.

Sign'd p Order Henry Wilkins clk.

The petition of captain Richard Pearis read the second time. Ordered that M.^r Cresap, M.^r Wolstenholme, M.^r Jennings, M.^r Ware, and M.^r Grahame, be a committee to state the facts arising on said petition and report the same.

The house adjourns 'til to morrow morning 9 o'clock.

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June 10

Friday, June 10.th

The house met according to adjournment. The members were called and all appeared as on yesterday, except M.^r T. Dashiell. The proceedings of yesterday were read.

Resolved, that the committee of accounts receive no claims against the province after Monday next, and that they close the journal to that day.

M.^r Hanson brought in and delivered to M.^r Speaker the following report

By the committee appointed to enquire into the truth of the facts contained in the petition of the reverend M.^r John Macpherson, of Charles County.

Your committee from their own knowledge, and the information

they have been able to get, do find that the principal facts contained in the said petition, are true viz.^t That the said John Macpherson is, and hath been, for sometime confined in said County jail: That he is very largely indebted to a number of persons (the particulars of which, your committee are not informed of) so as that there is no probability of his being able to extricate himself, without the aid and assistance of the legislature; and that the yearly income of the said John Macpherson, arising from the 30 per poll, may be about twenty six thousand pounds of tobacco, almost the whole of which is paid in tobacco. Your committee have also been informed, that there is about the quantity of one hundred and fifty acres of glebe land with some improvements thereon, (which now rents for ten pounds currency a year) and about thirteen or fourteen working negroes, and six or eight negro children belonging to the incumbent of said parish for the time being: That the said John Macpherson has also a lease, for one life only, of a parcel of valuable land lying in the County aforesaid containing about one hundred and fifty acres; but your committee are informed, and believe it to be true, that there is a mortgage which was made about two years ago, upon the said leased land, and also upon the negroes belonging to the glebe, to M.^r Thomas Contee, for the payment of a considerable debt due to the said M.^r Contee; but your committee are not informed how much. With regard to the Cudbear works, in Scotland, your committee have not been able to get any information relative to these works that can be depended on; but beg leave to suggest to this honorable house, that the same may be conveyed to trustees for the benefit of the creditors should an act pass for the relief of the petitioner. All which is submitted to the consideration of the honorable house.

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June 10

Sign'd p order Edward Ford clk.

M.^r Allen brought in, and delivered to M.^r speaker, a bill entitled an act for the relief of Joseph Scott of Worcester County: Which was read the first time and ordered to lie on the table.

M.^r Johnson brought in and delivered to M.^r speaker, the bill entitled an act to prevent any obstruction of the navigation in River Potowmack: Which was read the first time and ordered to lie on the table.

M.^r J. Dashiell brought in, and delivered to M.^r speaker a bill entitled an act to impower the justices of Somerset and Worcester Counties to levy on the taxable inhabitants of Stepney parish in Somerset and Worcester Counties, the quantity of one hundred and sixty thousand pounds of tobacco for the uses therein mentioned: Which was read the first time and ordered to lie on the table.

On reading the second time the bill entitled an act for lengthening the time of inspecting tobacco in Frederick County: Ordered that the same be committed for amendments.

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On reading the second time the bill entitled an act for erecting a court house and public prison, for Baltimore County in the town of Baltimore, and for making sale of the old court house and prison, the question was put whether the said bill do pass? Resolved in the affirmative

For the affirmative.

Messieurs	Wolstenholme	Harrison	Baxter
	Eden	Hayward	Baker
	Key	Gale	Tyler
	Ringgold	Wilson	Murdock
	Gresham	Dickinson	Hall
	Chase	Goldsborough	Hollyday
	Worthington	M. Tilghman	Wright
	Johnson	N. Thomas	Allen
	Griffith	Sullivan	Selby
	Mackall	Hooper	Purnel
	Parran	Steele	J. Dashiel
	Gantt	Ridgley	Cresap
	Grahame	Moale	Jennings
	Hanson	Adair	Lockett
	Ware	Veazy	Chapline
	Smallwood	Ward	[40]

For the negative

Mess. ^{rs}	Buchannan	Deye	[4]
	Bordley	Beall	

Which bill was sent to the upper house by M.^r Ridgley, M.^r Moale, and M.^r Adair.

On reading the second time, the bill entitled an act for turning part of a street called east street in the city of Annapolis and for confirming the title of Thomas Jennings esquire to a lot of ground therein; the question was put, whether the said bill do pass? Resolved in the affirmative. Sent to the upper house by M.^r Worthington and M.^r Chase.

p. 514 On reading the second time, the bill entitled an act to promote and forward the appeal now depending before his majesty in council, on behalf of the people of this province; the question was put whether the said bill do pass? Resolved in the affirmative. Sent to the upper house by M.^r Murdock, M.^r Ringgold, M.^r Grahame, M.^r Tilghman, M.^r Johnson, and M.^r Worthington.

John Ridout esquire from the upper house, delivers to M.^r speaker, the bill entitled, an act for turning part of a street called east street in the city of Annapolis, and for confirming the title of Thomas

Jennings esquire to a lot of ground therein; indorsed: By the upper house of assembly June 10.th 1768: Read the first and second time by especial order and will pass

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June 10

Sign'd by order U. Scott cl: up: ho:

Which is read here and pass'd for ingrossing

On motion leave given to bring in a bill entitled an act for the security of purchasers and others, being protestants, claiming by or from aliens. Ordered that M.^r Chase, M.^r Jennings, and M.^r Cresap, do prepare and bring in the same.

On motion, M.^r Johnson, M.^r Hollyday, M.^r Hall, M.^r Chase, M.^r Jennings, M.^r Wilson, M.^r Hayward M.^r Bordley, M.^r N. Thomas, M.^r Paca, and M.^r Ringgold are appointed a committee to consider that part of his excellencys speech, relative to the criminal laws, and report their sense thereon, to the house.

On reading the second time the bill entitled an act for the recovery of certain americiaments and also upon defaults on executions; the question was put, whether the following clause be added viz.^t "Provided always that in all actions of trespass upon the case, where no declaration shall be sent with the writ, expressing the true cause of action, the sheriff or coroner shall not be amerced upon such writ above the sum of eight thousand pounds of tobacco; and that the judgment for such americiament shall be absolute without any assignment of the cause of action to be offered or tendered to the said sheriff or coroner?" Resolved in the affirmative.

For the affirmative

Eden	Gale	Baxter
Key	Wilson	Tyler
Buchannan	Goldsborough	Hall
Bordley	N. Thomas	Hollyday
Griffith	Sullivan,	Wright
Mackall	Hooper	Allen
Hanson	Steele	Selby
Ware	Ridgley	Purnel
Smallwood	Moale	J. Dashiel
Harrison	Adair	[31]
Hayward	Veazy	

For the negative

Wolstenholme	Parran	Ward
Ringgold	Gantt	Beall
Gresham	Grahame	Murdock
Chase	Dickinson	Cresap.
Worthington	M. Tilghman	[16]
Johnson	Deye	

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June 10

The house adjourns 'til 2 o'clock

Post meridiem. The house met according to adjournment. M.^r Key has leave of absence.

M.^r Chase brought in and delivered to M.^r speaker, a bill entitled an act for the security of purchasers and others being protestants, claiming by or from aliens. Which was read the first time and ordered to lie on the table.

The order of the day being read, the house proceeded to an hearing on the petition of John Hammond Dorsey; and after examination of several witnesses, at the bar, referred the same for a further hearing, to morrow morning.

Ordered that a further hearing on the petition of John Hammond Dorsey be had at the bar of this house to morrow morning

The house adjourns 'til to morrow morning 8. o'clock

June 11

Saturday, June 11.th

The house met according to adjournment. The members were called and all appeared, as on yesterday, except M.^r Key. The proceedings of yesterday were read.

p. 515 M.^r Hanson, M.^r Ware, M.^r Smallwood, M.^r Gantt, and M.^r Gresham have leave of absence

The question was put whether the bill entitled, an act for recovery of certain americiaments, and also upon defaults on executions, do pass? Resolved in the affirmative. Sent to the upper house by M.^r Baker and M.^r Cresap.

M.^r Ringgold brings in, and delivers to M.^r Speaker, the bill entitled an act for granting to the Nanticoke indians a compensation for the lands therein mentioned, amended according to the order of the house. The question was then put, whether the said bill do pass? Resolved in the affirmative. Sent to the upper house by M.^r Allen and M.^r Gale.

On reading, the second time, the bill entitled an act to prevent any obstruction of the navigation in the River Potowmack; the question was put whether the said bill do pass? Resolved in the affirmative. Sent to the upper house by M.^r Baker and M.^r Cresap.

On motion ordered that a bill be brought in for appointing new visitors to the public school in Frederick County, and for other purposes therein mentioned; and that M.^r Jennings, M.^r Cresap, and M.^r Chase do prepare and bring in the same.

On reading the second time, the bill entitled an act for the preservation of the breed of fish; the question was put whether the said bill do pass? Resolved in the affirmative. Sent to the upper house by M.^r Baker and M.^r Cresap.

M.^r Ridgley delivered to M.^r speaker, the petition of Charles Ridgley jun^r Benjamin Rogers, Jonathan Plowman, William Aisquith, and Christopher Carnan, of Baltimore County complaining of an undue election of M.^r Thomas Cockey Deye one of the members for said County. Which was read and ordered to lie on the table.

The address to his excellency read a second time, approved of, and ordered to be ingross'd

M.^r Johnson brings in and delivers to M.^r speaker the ingross'd address to his excellency, which is read, assented to, and signed by order of the house by the honorable speaker.

Ordered that M.^r Hall and M.^r Hayward do wait on his excellency and acquaint him, that this house hath prepared an address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r speaker they delivered the message, and that his excellency was pleased to signify he would receive it immediately in the conference chamber.

Ordered that M.^r Goldsborough and M.^r Gantt do wait on his excellency and present the address.

On motion, leave given to bring in a bill entitled an act for amending and declaring the law in the cases therein mentioned. Ordered that M.^r Hollyday, M.^r Johnson and M.^r Hall do prepare and bring in the same.

The house resumed the consideration of the petition of John Hammond Dorsey, and after examining several witnesses at the bar of the house, referred the same for a further hearing afternoon.

The house adjourns 'til 2 o'clock

Post meridiem. The house met &c.^a M.^r Steele has leave of absence 'til Tuesday next. M.^r Grahame and M.^r Tyler have leave of absence.

The house proceeded to a further hearing on the petition of John Hammond Dorsey, and it was proposed that the question should be put, whether the three members returned for Baltimore County, and petitioned against by M.^r John Hammond Dorsey, be duly elected or not? The previous question was put, whether that question be now put? Resolved in the Negative.

For the negative

Wolstenholme	Harrison	Baxter
Eden	Hayward	Hollyday
Chase	Gale	Wright
Worthington	Wilson	Allen
Johnson	Dickinson	J. Dashiel
Griffith	Goldsborough	Cresap
Parran	Steele	Jennings
Grahame	Ward	Lockett

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For the affirmative

Buchanan	Sullivan	Murdock
Ringgold	Hooper	Hall
Bordley	Veazy	Paca
Mackall	Baker	Selby
M Tilghman	Beall	Purnel
N. Thomas	Tyler	

[17]

p. 516 Resolved, that the further consideration on the said petition, so far as relates to the sitting, be postponed 'til Tuesday next

Resolved also that the house will then take into consideration the petition of Charles Ridgley jun.^r and others, against M.^r Thomas Cockey Deye

M.^r Ridgley, M.^r Adair, and M.^r Moale, have leave of absence 'til Tuesday next

The Governor communicates to M.^r speaker the following message.
Gentlemen of the lower house of assembly,

M.^r Isaac Baker and M.^r John Kimbol, of Frederick County, having represented to me that two accounts, which were during the former sessions, delivered in by them respectively to the committee of accounts, were by some means or other mislaid or overlooked, so that no allowances were made to them in the journal passed at the last sessions, for sundry just and equitable claims they had on the public, I advised them to state their claims in other accounts, and promised to recommend the same to your consideration which I now do, not doubting but you will, on examining the same, make them such satisfaction or allowance, as shall appear reasonable.

11.th June 1768.

Hor^o Sharpe

Upon taking into consideration that part of the petition of John Hammond Dorsey, which charges the the sheriff of Baltimore County with mal-conduct in the election of members for that County, it is unanimously resolved, that the said sheriff behaved himself fairly and impartially, and that he be discharged from further attendance; and that the petitioner shall pay him his costs.

The house adjourns 'til Monday morning 9 o'clock

June 13

Monday June 13.th

The house met according to adjournment. The members were called and all appeared as on Saturday, except M.^r Hanson, M.^r Smallwood, M.^r Ware, M.^r Gantt, M.^r Gresham, M.^r Steele, M.^r Grahame, and M.^r Tyler. The proceedings of Saturday were read.

M.^r Baker has leave of absence. M.^r Tyler appeared in the house.

M.^r Bordley brings in and delivers to M.^r speaker a bill entitled an act reviving and continuing an act, entitled an act to establish a market at the market house in Chester Town in Kent County, and for the regulation of the said market

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June 13

M.^r Jennings brings in and delivers to M.^r speaker a bill entitled an act for the relief of such persons, being protestants, who conscientiously scruple the taking of an oath. Also a bill entitled an act appointing new visitors for the public school in Frederick County and for other purposes therein mentioned.

Which bills are read the first time and ordered to lie on the table.

Walter Dulany esquire from the upper house deliveres to M.^r speaker, the petition of Henry Casson and company, which is referred to the consideration of the committee of accounts; and, the petition of the vestry and churchwardens of saint John's parish, in Queen Anns County.

M.^r Gantt appeared in the house. The house adjourns 'til 2 o'clock Post meridiem. The house met according to adjournment

The petition of the visitors of Kent County school read a second time and granted: Ordered that M.^r Ringgold, and M.^r Bordley do prepare and bring in a bill according to prayer.

The report of the committee appointed to enquire into the truth of the fact set forth in the petitions of Spedding Bromwell and Edward Bromwell of Talbot County, read the second time, and leave given to bring in a bill according to the prayer of Spedding Bromwell; and that the consideration of Edward Bromwells petition, be referred to the next general assembly.

Benedict Calvert esquire from the upper house, delivers to M.^r speaker, a bill entitled an act for the preservation of the breed of fish; indorsed: By the upper house of assembly June 11.th 1768 Read the first time and ordered to lie on the table.

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Sign'd by order U Scott cl: up: ho

By the upper house of assembly June 13.th 1768. Read the second time and will pass.

Sign'd by order U Scott U Scott cl: Up: ho

Which is read here and pass'd for ingrossing.

Also a bill, entitled an act to prevent any obstruction of the navigation in the River Potowmack, indorsed: By the upper house of assembly June 11.th 1768. Read the first time, and ordered to lie on the table,

Sign'd by order U Scott cl. up: ho:

By the upper house of assembly June 13.th 1768: Read the second time and will pass with the amendments annexed.

Sign'd by order U. Scott cl: Up: ho:

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1.st Amendment. After the word "fish dams" in the fifth line from the top of the first page, leave out the words "and other erections already made, or hereafter to be made," and insert in place thereof, the following words "or other devices for catching of fish, already made or hereafter to be made, and all other erections hereafter to be made."

2^d Amendment. In the fifth line of the second page from the top, leave out the words "use of the public school of Frederick County," and insert in place thereof, the words "be paid to the sheriff of Frederick County, to be by him accounted for, and paid to the justices of said County, and by them applied towards clearing or improving the navigation of the said Rivers."

3^d Amendment. After the last enacting clause, add the following proviso: Provided always that this act or any thing therein contained, shall not hinder, or be construed to hinder, or prevent the erecting or causing to be erected, any bridge or bridges over the said River Monocosity, with convenient arches for admitting of boats and other vessels of burthen, passing through the same with the least obstruction that may be.

Samuel Chamberlaine esquire from the upper house delivers to M.^r speaker, the petition of sundry inhabitants of saint Johns parish in Queen Anns County; also the petitions of sundry languishing prisoners in saint Marys County; indorsed: By the upper house of assembly June 13.th 1768: Read and referred to the consideration of the lower house of assembly.

Sign'd by order UScott cl: up: ho:

The governor communicates to M.^r speaker the following message
Gentlemen of the lower house of assembly,

The indians that came last summer from Otsiningo to invite those that live in this province to go back and become one people with them, having, as they passed through this place, pressed me to give them some match-coats and other necessaries, of which they were in great want, I desired M.^r Jacques to supply them with as many as were by him charged at £12.14.7. and I was obliged to pay other sums for provisions delivered to them, by sundry persons, and for conveying them from one place to another, amounting together to £33.12.5, as you will see by the inclosed account, which I lay before you, not doubting, but when you consider the necessity I was under of advancing this money, on the credit of the province, you will immediately reimburse me.

June 13th 1768.

Hor^o Sharpe

The bill entitled an act to prohibit raising of swine and geese in George town in Kent County, and in Snow Hill town in Worcester County; read the second time and will pass. Sent to the upper house by [M.^r] Bordley and M.^r Buchanan

The bill entitled an act reviving and continuing an act entitled an act to establish a market at the market house in Chester town in Kent County, and for the regulation of the said market: Read the first and second time by an especial order, and will pass. Sent to the upper house by M.^r Bordley and M.^r Buchanan.

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The bill entitled an act for the relief of Joseph Scott of Worcester County: Read the second time and will pass. Sent to the upper house by M.^r Allen and M.^r Selbey.

The bill entitled an act for regulating the commissions and salaries of judges of the provincial court: Read the first time and ordered to lie on the table.

The bill entitled a supplementary act to the act entitled an act for erecting a new parish in Kent County, called Chester parish, and for building a parish Church, and enlarging a chapel of ease within the said parish; read the second time and will pass. Sent to the upper house by M.^r Bordley and M.^r Buchanan.

The bill entitled an act to empower the justices of Somerset and Worcester Counties to levy on the taxable inhabitants of Stepney parish in Somerset and Worcester Counties, the quantity of one hundred and sixty thousand pounds of tobacco for the uses therein mentioned; read the second time and will pass. Sent to the upper house by M.^r Allen and M.^r Selbey.

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The bill entitled an act for the better regulating the office of sheriff, and further advancement of justice within this province; read the first time with the amendments, and ordered to lie on the table.

The house adjourns 'til to morrow morning 9 o'clock

Tuesday June 14.th

June 14

The house met according to adjournment. The members were called and all appeared, as on yesterday. The proceedings of yesterday were read.

The petition of Robert Lamar, read a second time; and referred to the consideration of the committee of accounts

The bill entitled an act to prevent any obstruction of the navigation in the River Potowmack; read, with the amendments proposed by the upper house, and passed for ingrossing

M.^r Gresham appeared in the house

The petitions, of sundry prisoners, which were delivered by Samuel Chamberlaine esquire; read the first time and ordered to lie on the table.

M.^r Ringgold brings in and delivers to M.^r speaker the following report

By the committee appointed to confer with Messieurs Prigg and Calder, concerning the variation of the compass, and report to the

L. H. J. house their opinions of the proper measures to be taken to remedy
Liber No. 52 the evils arising therefrom.
June 14

Your committee having conferred with M.^r Prigg and M.^r Calder, upon the subject of the variation of the compass, and how the evils arising therefrom may be best remedied, are informed by those gentlemen, that there is a west variation, of about two and an half or three degrees; that this variation is now, and has been decreasing ever since the first settlement of this province; but that the experiments and observations they have hitherto made, do not sufficiently authorize them to say at what rate it decreases. To adjust this, and to know whether the decrease be regular, at different periods of time, they are of opinion that it will be necessary to make many experiments and observations, as well upon ancient, as upon late surveys; and that, when by this, or any other means, the variation of the variation (as it may be termed) or the rate in which the variation decreases, can be pretty nearly settled, it may then be proper, in order to prevent the evil complained of, to have a good theodolite provided by each county, that a true meridian line be taken and fixed in some convenient place, as near the court house in each county as may be, by setting up three pillars of durable stone, at convenient distances, in the plain of such meridian; and that some person be appointed, to try the said instrument, by such meridian line, and note down in a book, to be kept for that purpose, among the records of each county, the variation of the said instrument from such line, which variation so found shall be the standard of variation for each County respectively; and thereafter such instrument to be tried annually and whatever it shall be found to vary, from such first trial, to be also noted down, in the same book, and be allowed in every course to be run by such instrument, until the next trial, and a certificate thereof given by the person appointed to try such instrument, to the surveyor of each County, respectively, and so from year to year. Some such method as this, your committee are of opinion, might be effectual to prevent the evils arising from the variation hereafter; and it appears also to your committee to be very necessary that something should be done to regulate former surveys; but, as this would occasion a considerable change in the situation of many surveys, and be attended with much difficulty, your committee beg leave to offer it as their opinion that it is most prudent to refer the consideration of the whole to the next meeting of assembly by which time it may be hoped that every gentleman will have considered the matter with that attention which the nature and importance of it require, and come prepared to determine finally, upon some regulation, that may prevent an evil that is daily increasing. All which is humbly submitted to the consideration of this honorable house.

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Sign'd p order Edward Ford clk.

M.^r Ringgold brings in and delivers to M.^r speaker a bill entitled an act to enable Thomas Hunt executor of William Hunt late of London, merchant, deceased, and Jonathan Smyth executor of Peter Bayard, late of Cæcil County deceased, to pay the money therein mentioned: Which is read the first time and ordered to lie on the table.

L. H. J.
Liber No. 52
June 14

The bill entitled an act for lengthening the time of inspecting tobacco, in Frederick and Baltimore Counties, and at Elk Ridge warehouse in Ann Arundel County: Read the second time; The question was put whether the said bill do pass? Resolved in the Negative.

For the negative

	Wolstenholme	Wilson	Beall
	Eden	Dickinson	Tyler
Messieurs	Buchanan	Goldsborough	Hollyday
	Ringgold	M. Tilghman	Wright
	Bordley	N. Thomas	Selbey
	Gresham	Sullivan	Purnel
	Mackall	Veazy	[22]
	Harrison	Ward	

For the affirmative

	Chase	Hayward	Allen
Messieurs	Worthington	Gale	J. Dashiel
	Johnson	Hooper	Cresap
	Griffith	Deye	Jennings
	Parran	Baxter	Luckett
	Gantt	Hall	Chapline [18]

M.^r Hayward brings in and delivers to M.^r speaker, a bill entitled an act to prevent the evils arising from the manumission of slaves: Which is read the first time and ordered to lie on the table

The bill entitled an act appointing new visitors for the public school in Frederick County, and for other purposes therein mentioned; read the second time and will pass. Sent to the upper house by M.^r Jennings and M.^r Luckett

John Beale Bordley esquire from the upper house delivers to M.^r speaker the following bills viz.^t

A bill entitled an act reviving and continuing an act entitled an Act to establish a market at the market house in Chester town, in Kent County, and for the regulation of the said market.

A bill entitled an act for the relief of Joseph Scott of Worcester County

A bill entitled an act to prohibit raising swine and geese in George town in Kent County, and in Snow Hill town in Worcester County. And

L. H. J.
Liber No. 52
June 14

A bill entitled an act to empower the justices of Somerset and Worcester Counties to levy on the taxable inhabitants of Stepney parish in Somerset and Worcester Counties, the quantity of one hundred and sixty thousand pounds of tobacco for the uses therein mentioned: Which bills were indorsed: "By the upper house of assembly; June 14.th 1768: Read the first and second time by an especial order and will pass.

Sign'd by order U. Scott clk up: ho:

All which bills are read here and pass'd for ingrossing

The bill entitled an act for the better regulating the office of sheriff, and further advancement of justice within this province; read the second time and will pass. Sent to the upper house by M.^r Bordley and M.^r Beall.

The bill entitled an act for the security of purchasers and others, being protestants, claiming by or from aliens; read the second time, and will pass. Sent to the upper house by M.^r Wilson and M.^r Harrison.

M.^r Steele appeared in the house.

The ingrossed bill entitled an act to remedy the inconveniencies arising from the loss of some proceedings in saint Marys County court; read, and assented to, and sent with the paper bill, to the upper house by M.^r Gantt and M.^r Ward.

The house adjourns 'til 2. o'clock

Post meridiem. The house met according to adjournment. M.^r Ridgley, M.^r Moale and M.^r Adair appeared in the house. The order of the day being read, the house further took into consideration, the petition of John Hammond Dorsey, and it was proposed that the question should be put, whether the three members returned from Baltimore County and petitioned against by M.^r John Hammond Dorsey, be duly elected, or not? The previous question was put, Whether that question be now put? Resolved in the negative.

The house then took into consideration the petition of Charles Ridgley jun^r and others, against M.^r Thomas Cockey Deye; and after examining several witnesses at the bar of this house, Resolved, that a determination be had on the petitions of John Hammond Dorsey, and Charles Ridgley jun.^r and others. The question was put whether M.^r John Ridgley, a member returned for Baltimore County be duly elected? Resolved in the negative. The question was put whether M.^r John Moale, be duly elected? Resolved in the negative. The question was put whether M.^r Robert Adair be duly elected? Resolved in the negative. The question was put, whether M.^r Thomas Cockey Deye be duly elected? Resolved in the negative, Whereupon M.^r speaker by the directions of the house, acquaints Messieurs John Ridgley, John Moale, Robert Adair and Thomas Cockey Deye, that upon a full hearing of the witnesses at the bar, this house is of

opinion, that they are not duly elected; and that they are discharged from any further attendance. In the course of the evidence, on the petition of John Hammond Dorsey, it appearing to the house that the petitioner had treated equally with any of the persons petitioned against, the question was put, whether the said John Hammond Dorsey be allowed any costs on his petition? Resolved in the negative

L. H. J.
Liber No. 52
June 14

For the negative

Eden	Parran	Hollyday
Gresham	Harrison	Allen
Chase	Wilson	Purnel
Worthington	Hooper	J. Dashiell
Johnson	Veazy	Cresap
Griffith	Hall	Jennings
Mackall	Paca	Luckett

[21]

For the affirmative

Wolstenholme	Gale	Steel
Buchannan	Dickinson	Ward
Ringgold	Goldsborough	Beall
Bordley	M. Tilghman	Tyler
Gantt	N. Thomas	Wright
Hayward	Sullivan	Selbey

[18]

Ordered that M.^r Worthington, M.^r Wilson, and M.^r Hall be a committee to tax the fees arising on the petitions of John Hammond Dorsey and Charles Ridgley jun.^r and others.

John Ridout esquire from the upper house delivers to M.^r speaker a bill entitled an act for granting to the Nanticoke indians a compensation for the lands therein mentioned; indorsed. "By the upper house of assembly June 11.th 1768 Read the first time, and ordered to lie on the table

Sign'd by order U Scott cl: up: ho

By the upper house of assembly June 14.th 1768. Read the second time and will pass.

Sign'd by order U. Scott cl: up: ho

Which bill is read here and pass'd for ingrossing

M.^r Johnson brings in and delivers to M.^r speaker, a bill entitled an additional supplementary act to the act, entitled, an act for the establishment of religious worship in this province according to the church of England, and for the maintenance of ministers. Which bill is read the first time and ordered to lie on the table.

The house adjourns til to morrow morning 9 o'clock

L. H. J.
Liber No. 52
June 15

Wednesday June 15.th

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read.

Ordered that M.^r speaker do issue his warrant to the secretary of this province, requiring him to issue writs of election, directed to the sheriff of Baltimore County for the electing four delegates for that County, in the room of Messieurs John Ridgley, John Moale, Robert Adair, and Thomas Cockey Deye, whose seats are vacated.

The bill entitled, an act for the relief of such persons, who conscientiously scruple the taking of an oath, read the second time; the question was put whether the said bill do pass? Resolved in the Negative

For the negative

	Wolstenholme	Harrison	Beall
	Eden	Hayward	Tyler
	Buchanan	Gale	Hall
	Ringgold	Wilson	Paca
Messieurs	Gresham	Dickinson	Hollyday
	Chase	Goldsborough	Wright
	Worthington	M Tilghman	Allen
	Johnson	N. Thomas	Selbey
	Griffith	Sullivan	Purnell
	Mackall	Veazy	J. Dashiel
	Parran	Ward	Cresap
	Gantt	Baxter	

[35]

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For the affirmative

Mess. ^{rs}	Bordley	Luckett	
	Jennings	Chapline	[4]

John Beale Bordley esquire from the upper house, delivers to M.^r speaker a bill entitled an act appointing new visitors for the public school in Frederick County, and for other purposes therein mentioned; indorsed "By the upper house of assembly June 14.th 1768. Read the first time and ordered to lie on the table.

Sign'd by order U Scott cl: up: ho:

By the upper house of assembly June 15.th 1768 Read the second time and will pass.

Sign'd by order U. Scott cl: up: ho:

Which bill was read here and pass'd for ingrossing.

Also a bill entitled a supplementary act to the act entitled, an act for erecting a new parish in Kent County, called Chester parish, and

for building a parish church, and enlarging a chapel of ease, within the said parish; indorsed: "By the upper house of assembly June 14.th 1768. Read the first time and ordered to lie on the table

L. H. J.
Liber No. 52
June 15

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 15.th 1768: Read the second time, and will pass, with the annexed amendments

Sign'd by order U. Scott cl: up: ho:

1.st amendment. In the 7.th line from the top of the second page, leave out the words "a long square" and insert in place thereof, "part of."

2.^d amendment. After the word "chapel," in the 9.th line from the top of the third page, insert the following words, "or to sue for, and recover such monies, in case any of the subscribers should neglect or refuse to pay the same subscribed by them, respectively,

3.^d amendment. In the 7.th line from the top of the fourth page, leave out the word "generously" and insert "piously" Which bill, with the amendments, was read, assented to, and ordered to be ingrossed.

M.^r Thomas brings in and delivers to M.^r speaker the following ingrossed bills Viz.^t

A bill entitled an act for the preservation of the breed of fish; and a bill entitled an act to prevent any obstruction of the navigation in the River Potowmack.

Which bills are read and assented to, and sent to the upper house by M.^r Thomas and M.^r Bordley

Ordered that M.^r Eden, M.^r Tyler, and M.^r Buchannan be added to the committee appointed to inspect the accounts and proceedings of the commissioners for the payment of the public claims, for emitting bills of credit and for other purposes therein mentioned

The house adjourns til 2 o'clock

Post meridiem. The house met according to adjournment

M.^r Hollyday and M.^r Sullivan have leave of absence. M.^r Murdock appeared in the house.

The governor communicates to M.^r speaker, the following message. Gentlemen of the lower house of assembly

Having, since the last session of assembly, received a letter from M.^r James Gorrel who served during the late war, as ensign, lieutenant and adjutant in the Maryland troops; in which he desires me to receive on his account, and apply to the payment of a debt he contracted in the province, such sum as might fall to his share of the money he understood the legislature here, had given among the officers, in consideration of their services. I must now take the liberty to make application to you on his behalf, as he was not here,

L. H. J.
Liber No. 52
June 15

to apply to the late assembly, at the time they gave gratuities to the other officers, and by reason of his absence, cannot now do it by petition. I can assure you, that he distinguished himself as a diligent and brave officer, on several occasions; and that his whole conduct while he served in the Maryland troops was such as should recommend him to your favorable notice. I flatter myself therefore that he will not remain the only one of all our subaltern officers, that survived the war without a recompense, or gratuity from the province.

June 15.th 1768.

Hor^o Sharpe

p. 522 M.^r speaker having acquainted the house, that a paper had been delivered to him, and that he was informed, it was a petition from some of the freeholders of Ann Arundel County, complaining against their late election. And the resolve of the 7.th instant being read viz.^t "That no new business be moved for after Saturday next": The question was put, whether the said paper be received or not? Resolved in the affirmative.

M.^r Jennings brings in and delivers to M.^r speaker, an ingrossed bill entitled an act appointing new visitors for the public school in Frederick County, and for other purposes therein mentioned: Which is read, and assented to, and sent to the upper house by M.^r Thomas and M.^r Purnel

Mr. Sullivane brings in and delivers to M.^r speaker, the ingrossed bill entitled and act for granting to the Nanticoke indians a compensation for the lands therein mentioned: Which is read and assented to, and sent to the upper house by M.^r Thomas and M.^r Purnel.

The petition of sundry freeholders, and free-voters of Ann Arundel County, complaining of an undue election therein, was read and rejected for the uncertainty thereof

M.^r Chase brings in and delivers to M.^r speaker a bill entitled an act for the relief of the poor within the several Counties therein mentioned.

M.^r Hall brings in and delivers to M.^r speaker, a bill entitled an act for amending and declaring the law in the cases therein mentioned.

M.^r Sullivane brings in and delivers to M.^r speaker, a bill entitled a supplementary act to the act entitled, an act to establish a road from Hunting Creek in Dorchester County to Dover in Talbot County.

M.^r Hayward brings in and delivers to M.^r speaker, a bill entitled an act confirming to Spedding Bromwell of Talbot County certain lots of land therein mentioned.

Which bills were severally read the first time and ordered to lie on the table.

The report of the committee appointed to enquire into the truth

of the facts contained in the petition of the reverend M.^r John Macpherson of Charles County; read the second time and concurred with. L. H. J.
Liber No. 52
June 15

Ordered that M.^r Chase, M.^r Johnson, M.^r Hall, and M.^r Mackall, do prepare and bring in a bill according to the prayer of said petition.

The house adjourns 'til to morrow morning 8. o'clock

Thursday June 16.th

June 16

The house met according to adjournment. The members were called and all appeared as on yesterday, except M.^r Hollyday. The proceedings of yesterday were read. M.^r Chapline has leave of absence.

The bill entitled, an additional supplementary act to the act entitled, an act for the establishment of religious worship in this province according to the church of England, and for the maintenance of ministers: Read the second time. The question was put, whether the said bill do pass? Resolved in the affirmative

For the affirmative

Messieurs	Wolstenholme	Harrison	Baxter
	Eden	Hayward	Beall
	Buchanan	Gale	Tyler
	Ringgold	Wilson	Hall
	Bordley	Dickinson	Wright
	Gresham	Goldsborough	Allen
	Worthington	N. Thomas	Selbey
	Johnson	Sullivan	Purnel
	Griffith	Hooper	J. Dashiel
	Mackall	Steele	Cresap
	Parran	Veazy	Lockett
	Gantt	Ward	

[35]

For the negative.

Mess. ^{rs}	Chase	M. Tilghman	[2]
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The aforesaid bill sent to the upper house by M.^r Johnson and M.^r Allen

On motion, ordered that the bill entitled, an act for regulating the commissions and salaries of judges of the provincial court, be referred to the next assembly.

On motion, ordered that a bill be brought in for the regulation of ordinaries, and licensing hawkers and pedlars; and that M.^r Ring-

L. H. J. gold, M.^r Wilson, M.^r M. Tilghman, M.^r Hayward and M.^r Hall
 Liber No. 52 do prepare and bring in the same.
 June 16

The bill entitled an act to prevent the evils arising from the manu-
 p. 523 mission of slaves; read the second time. The question was put
 whether the said bill do pass? Resolved in the affirmative.

For the affirmative

Eden	M. Tilghman	Wright
Ringgold	N. Thomas	Allen
Parran	Sullivan	J. Dashiel
Harrison	Hooper	Luckett
Hayward	Steele	Chapline
Dickinson	Beall	
Goldsborough	Hall	

[19]

For the negative

Wolstenholme	Mackall	Tyler
Buchannan	Gantt	Murdock
Bordley	Gale	Selbey
Chase	Wilson	Purnel
Worthington	Veazy	Cresap
Johnson	Ward	
Griffith	Baxter	

[19]

The house being divided, the question was determined in the affirmative, by the honorable speaker.

The bill sent to the upper house by M.^r Selbey and M.^r Thomas.

The governor communicates to M.^r speaker, the following message
 Gentlemen of the lower house of assembly,

Some of the contractors for the transportation of felons from England to America, having made grievous complaints against the quarantine law, that was made here during the last sessions, which it seems hath been considered, as very oppressive, unreasonable and cruel; and which indeed, I think, might be in some respects amended; I recommend it to you, to take it at this time into consideration, and by a new bill, to obviate the just objections to which this act is liable: That you may know in what light the contractors see it and have represented it to his Majestys ministers, I shall communicate to you some letters and copy of a memorial that I some time ago received from England, relative thereto.

June 16.th 1768.

Hor^o Sharpe

M.^r Worthington brings in and delivers to M.^r speaker the following report

By the committee appointed to tax the fees arising on the petitions of John Hammond Dorsey, and Charles Ridgley jun.^r and others. L. H. J. Liber No. 52 June 16

Your committee in obedience to the above order, have proceeded to tax the same in manner following

John Hammond Dorsey on his petition

To the clerk for 77 summonses.....at 3 s.	£11..11..0
To the serjeant for serving 41 summonses.....@ 3 s.	6.. 3..0
To Henry Gassaway for 2 Days attendance.....	0..10..0
To Henry James, Moses Galloway, William Cromwell, James Elliott, Archibald Buchannan, James Richards Andrew Stygar, Alexander Leith, Melchar Skeener, William Lebley, Jacob Meyer, Hazel Gittings, Charles Ridgley jun. ^r Christopher Carnan, Josia Slades, James Yoe, Daubigny, Buckler Patridge, Jacob Miers, John Buck, Daniel Bowers, Ezekiel Towson, John Standiford, Nathan Nicholson, George Gould Presbury, David Davis, Thomas Archer, Thomas Bond, son of John, Jonathan Plowman, William Bunting John Hughs, James Steuart, and George M. ^c Candles, each for two days attendance, at five Shillings and four days itinerant charges, at 3/.....	35..14..0
To Major Thomas Franklin, Samuel Owings, Walter Tolley jun, Goldsmith Presbury, William Aisquith, John Moore (miller) and Benjamin Rogers, witnesses summoned on behalf of the sheriff, each for two days attendance at 5 shillings, and four days itinerant charges, at 3 shillings.....	7..14..0

Charles Ridgley, and others on their petition

To the clerk for 6 summonses.....at 3 s.	0..18..0
To the serjeant for serving the same.....at 3 s.	0..18..0
To William Andrews, John Davis, and M. ^{rs} Taylor, each for one day's attendance as witnesses and four days itinerant charges at 17 shillings.....	2..11..0
To Henry Gassaway for one day's attendance as a witness	0.. 5..0
To be discharged in dollars at 7/6. All which is submitted to the honorable house	

Sign'd by order Henry Wilkins clk.

Which is read, and the house concurs therewith.

The house adjourns 'til 2 o'clock

Post meridiem. The house met according to adjournment. M.^r p. 524

Grahame appeared in the house.

The bill entitled an act for the relief of the poor within the several counties therein mentioned; read the second time, and will pass.

L. H. J. The bill entitled a supplementary act to the act entitled an act
Liber No. 52 to establish a road from Hunting Creek in Dorchester, to Dover in
June 16 Talbot County; read the second time and will pass.

The bill entitled an act confirming to Spedding Bromwell of Talbot County, certain lots of land therein mentioned; read the second time and will pass.

The bill entitled, a supplementary act to the act to enable the visitors of Kent County school, for the time being, to lease out part of the land belonging to the said school; read the second time and will pass. Which bills were sent to the upper house by M.^r Selbey and M.^r Thomas.

Walter Dulany esquire from the upper house, delivers to M.^r speaker, the bill entitled an act for recovery of certain amerciaments and also upon defaults on executions, and the following message.

By the upper house of assembly, June 16.th 1768
Gentlemen,

The amendment you have proposed to the bill entitled an act for the recovery of certain amerciaments [*This message beginning thus is printed in full in the Upper House Journal, pp. 305-306*]

M.^r Johnson brings in and delivers to M.^r speaker the following message

By the lower house of assembly, June 16.th 1768
May it please your honors,

p. 525 In answer to your message of this day, with the bill entitled an act for recovery of certain amerciaments, and also upon defaults on executions; we agree to the passage of that bill, according to its original frame; tho' with the amendment we proposed, the bill would in our opinion, have been more perfect

Sign'd by order T. Wright clk lo. ho.

The message sent to the upper house by M.^r Wilson and M.^r Buchannan

The petition of Mary Philpot read the second time and granted. Leave given to bring in a bill according to prayer

The ingrossed bill, entitled a supplementary act to the act entitled an act for erecting a new parish in Kent County called Chester parish, and for building a parish church, and enlarging a chapel of ease within the said parish; read and assented to, and sent to the upper house with the paper bill by M.^r Ringgold and M.^r Baxter

The ingrossed bill entitled an act to impower the justices of Somerset and Worcester Counties to levy on the taxable inhabitants of Stepney parish in Somerset and Worcester Counties the quantity of one hundred and sixty thousand pounds of tobacco for the uses therein mentioned; Read, and assented to; and with the paper bill sent to the upper house by M.^r Ringgold and M.^r Baxter.

M.^r Ware appeared in the house
The house adjourns 'til to morrow morning 8. o'clock

L. H. J.
Liber No. 52
June 16

Friday June 17.th

June 17

The house met according to adjournment. The members were called and all appeared as on yesterday. The proceedings of yesterday were read. M.^r Key appeared in the house.

M.^r Hall brings in and delivers to M.^r speaker, a bill entitled an act for the speedy and effectual publication of the laws of this province; and for the encouragement of Ann Catharine Green of the city of Annapolis printer. Which is read the first time and ordered to lie on the table.

The ingross'd bill entitled an act for the relief of Joseph Scott of Worcester County; read and assented to and sent to the upper house, with the paper bill thereof, by M.^r Allen and M.^r Selbey

The bill entitled an act for amending and declaring the law in the cases therein mentioned, read the second time and will pass. Sent to the upper house by M.^r Hall and M.^r Gale

On motion, the question was put, Whether M.^r Thomas Jennings, a member of this house, have leave to attend the upper house as council, on hearing of a petition against a bill which hath past this house, entitled an act for erecting a court house and public prison for Baltimore County, in the town of Baltimore, and for making sale of the old court house and prison: Which bill was founded on a petition of many of the inhabitants of Baltimore County; read in, and referred to the consideration of this house, by the upper house, and for the passage of which bill, the said Thomas Jennings had given his vote in this house? Resolved in the negative.

For the negative

Wolstenholme	Harrison	Beall
Eden	Hayward	Tyler
Key,	Gale	Murdock
Buchanan	Wilson	Hall
Ringgold	Dickinson	Paca
Bordley	Goldsborough	Wright
Worthington	M. Tilghman	Allen
Johnson	N. Thomas	Selbey
Griffith	Sullivan	Purnel
Mackall	Hooper	J. Dashiel
Parran	Steele	Cresap
Gantt	Veazy	Luckett
Grahame	Ward	
Ware	Baxter	

[40]

L. H. J.
Liber No. 52
June 17

For the affirmative

Mess.^{rs}

Gresham

Chase

[2]

M.^r J. Dashiell and M.^r Hooper have leave of absence

The petition of Sarah Flinn, read a second time and granted. The petition of Henry Miles, read a second time and referred.

p. 526 John Beal Bordley esquire from the upper house delivered to M.^r speaker, the following bills Viz.^t

A supplementary act to the act to enable the visitors of Kent County school for the time being to lease out part of the land belonging to said school

A bill entitled a supplementary act to the act entitled an act to establish a road from Hunting Creek in Dorchester, to Dover in Talbot County; and a bill entitled an act confirming to Spedding Bromwell of Talbot County certain lots of land therein mentioned; thus severally indorsed: "By the upper house of assembly, June 16.th 1768: Read the first time, and ordered to lie on the table.

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 17.th 1768. Read the second time and will pass.

Sign'd by order U. Scott cl: up: ho

Which bills were here read and pass'd for ingrossing

And also a bill entitled, an act for the security of purchasers and others being protestants, claiming by or from aliens; indorsed "By the upper house of assembly June 14.th 1768: Read the first time and ordered to lie on the table.

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 17.th 1768: Read the second time and will pass with the following amendments Viz.^t Leave out the words, "being protestants" in the title, and in the 10.th and 17.th lines; and the words, "being a protestant or protestants," in the 24.th 27.th and 28.th lines; and the words "papist or papists," in the last line but two, and also in the last line but one.

Sign'd by order U. Scott cl: up: ho:

The paper bill, entitled an act for the recovery of certain amerciaments, and also upon defaults on executions; And the ingross'd bills entitled an act for the relief of Joseph Scott of Worcester County; An act reviving and continuing an act entitled an act to establish a markett, at the market house in Chester town in Kent County and for the regulation of the said market: An act to prohibit raising of swine and geese in Georgetown in Kent County, and in Snow Hill

town in Worcester County; were with the paper bills thereof sent to the upper house by M.^r Allen and M.^r Selbey.

L. H. J.
Liber No. 52
June 17

Daniel Dulany esquire from the upper house delivers to M.^r speaker, the petitions of David Covenover, Eleanor Duvall, John Marshall, &c.^a and of Robert Dick and others: Which are read the first time and ordered to lie on the table

The bill entitled an act for licensing ordinary keepers, hawkers, pedlars, and petty chapmen; read the first time and ordered to lie on the table.

The house adjourns 'til 2, o'clock

Post meridiem. The house met according to adjournment

The governors message of the 11.th of June, referred to the consideration of the next assembly

The governors message of the 15.th read a second time; the subject matter of which is referred to the consideration of the next assembly

Ordered that M.^r Johnson, M.^r Murdock, M.^r M Tilghman, and M.^r Ringgold do prepare an address to his excellency in answer thereto.

Samuel Chamberlaine esquire from the upper house delivers to M.^r speaker the bill entitled an act for erecting a court house and public prison for Baltimore County in the town of Baltimore, and for making sale of the old court house and prison; indorsed: "By the upper house of assembly June 10.th 1768: Read the first time and ordered to lie on the table.

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 17.th 1768: Read the second time and will pass.

Sign'd by order U. Scott cl: up: ho:

Which bill was read here, and pass'd for ingrossing.

The governors message of the 16.th read the second time; and the consideration thereof referred to the next assembly, Ordered, that M.^r Johnson, M.^r Murdock, M.^r M. Tilghman, and M.^r Ringgold do prepare an address to his excellency, in answer thereto. p. 527

The bill entitled an act for licensing ordinary keepers, hawkers, pedlars, and petty chapmen; read the second time by an especial order: The question was put, Whether the continuance of the said bill, be for one year and to the end of the next session; or for three years, and to the end of the next session? Resolved that it be continued for three years, and to the end of the next session. The question was put whether the said bill do pass? Resolved in the affirmative

The petition of Robert Dick and others, referred to the consideration of the next assembly

The house adjourns 'til to morrow morning 8. o'clock

L. H. J.
Liber No. 52
June 18

Saturday June 18.th

The house met according to adjournment. The members were called and all appeared except M.^r Sullivane, M.^r Hooper and M.^r J. Dashiell. The proceedings of yesterday were read.

The petition of the vestry men and churchwardens of saint Johns parish, and the petition of the inhabitants of the said parish, read the second time; and on consideration thereof, leave given to bring in a bill: Ordered that M.^r Thomas, M.^r Wright and M.^r M Tilghman do prepare and bring in the same.

The bill entitled an act for licensing ordinary keepers, hawkers, pedlars and petty chapmen; sent to the upper house by M.^r Grahame and M.^r Griffith

Ordered, that a bill be brought in for the adjournment of Frederick County court; and that M.^r Allen, M.^r Hall and M.^r Luckett do prepare and bring in the same.

M.^r Ward, M.^r Wilson, M.^r Veazy and M.^r Bordley have leave of absence.

M.^r Allen brings in and delivers to M.^r speaker, the bill for the adjournment of Frederick County court: Which is read the first and second time by an especial order and will pass. Sent to the upper house by M.^r Cresap and M.^r Luckett

The ingross'd bills, entitled an act for erecting a court house and public prison for Baltimore County in the town of Baltimore, and for making sale of the old court house and prison: And an act to prevent the exportation of flour, staves, and shingles not merchantable from the town of Baltimore in Baltimore County, and to regulate the weight of hay and measure of grain, salt, flax seed, and fire wood within the said town; read and assented to and sent to the upper house by M.^r Goldsborough, and M.^r Johnson

The bill entitled an act for the speedy and effectual publication of the laws of this province; and for the encouragement of Ann Catharine Green of the city of Annapolis printer; read a second time and will pass. Sent to the upper house by M.^r Hall and M.^r Chase.

Walter Dulany esquire from the upper house delivers to M.^r speaker, the bill entitled an act for the adjournment and continuance of Frederick County court: And the bill entitled an act for the speedy and effectual publication of the laws of this province, and for the encouragement of Ann Catharine Green of the city of Annapolis printer, severally indorsed: "By the upper house of assembly June 18.th 1768: Read the first and second time by especial order, and will pass.

Signed by order U. Scott cl. up: ho

Which bills were read, and passed for ingrossing

M.^r Allen brings in and delivers to M.^r speaker the ingrossed bill for the adjournment and continuance of Frederick County court; and

the ingross'd bill for confirming to Spedding Bromwell of Talbot County certain lots of land therein mentioned: Which are read and assented to, and sent to the upper house of M.^r Hayward and M.^r Luckett.

L. H. J.
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June 18

Walter Dulany esquire from the upper house delivers to M.^r speaker, the following paper bills, Viz.^t

A bill entitled an act to remedy the inconveniencies arising from the loss of some proceedings in saint Marys County court

A bill entitled an act for the preservation of the breed of fish

A bill entitled an act to prevent any obstruction of the navigation in the River Potowmack.

A bill entitled an act appointing new visitors, for the public school in Frederick County, and for other purposes therein mentioned

A bill entitled, an act for granting to the Nanticoke indians, a compensation for the lands therein mentioned

p. 528

A bill entitled a supplementary act to the act entitled, an act for erecting a new parish in Kent County called Chester parish, and for building a parish church, and enlarging a chapel of ease within the said parish

A bill entitled: an act to empower the justices of Somerset and Worcester Counties to levy on the taxable inhabitants of Stepney parish in Somerset and Worcester Counties, the quantity of one hundred and sixty thousand pounds of tobacco, for the uses therein mentioned

A bill entitled an act for the relief of Jacob Scott of Worcester County

A bill entitled an act for reviving and continuing an act entitled an act to establish a market at the market house in Chester town in Kent County and for the regulation of the said market. And

A bill entitled an act to prohibit the raising of swine and geese in Georges town in Kent County, and in Snow Hill town in Worcester County Which bills were thus severally indorsed: By the upper house of Assembly June 18.th 1768. The ingrossed bill, whereof this is the original, read and assented to

Signd by order UScott. cl: up ho

The governor communicated to M.^r speaker, the following message
Gentlemen of the lower house of assembly,

I am desired by M.^r Samuel Carrick of Frederick County, to recommend it to you, to make him an allowance for sundry provisions by him furnished, to parties of militia, that were in actual service on the frontiers during the late war; and for services performed there by himself as stated in the inclosed account; which he tells me is a copy of one heretofore laid before the committee of

L. H. J. accounts, but afterwards lost or mislaid so that no allowance was
 Liber No. 52 made him in the journal passed last session
 June 18

June 17.th 1768.

Hor^o Sharpe

M.^r Ringgold brings in and delivers to M.^r speaker, the following address.

To his excellency Horatio Sharpe esquire governor and commander in chief in and over the province of Maryland.

The humble address of the house of delegates,

May it please your excellency,

Upon examination, we don't find that the late assembly, gave any gratuity, or reward to any of the subaltern officers, except Resin Beall, Burr Harrison, Barton Lucas, Alexander Somerville, and William Lynn. The three first were considered, not only as behaving very bravely and adventurously, but for having been much wounded, and suffering greatly thereby. M.^r Somerville was considered, not only, as behaving well, but on account of a considerable expence he was at in raising and subsisting some recruits, until they got to the frontiers, for which he had never been reimbursed; and M.^r Lynn, exclusive of his good services, set forth that he should entirely lose his pension in the Chelsea Hospital, by being in the service of this province, unless he could go to England, to get reinstated, and that his distressed circumstances would not permit him to go unless assisted by the assembly. We don't make the least doubt of M.^r Gorrel's being very worthy and of his having behaved well; but as no such particular circumstance, at present, appears to have attended his case, we have thought proper to refer the matter for further consideration, that if any particular matter should appear to us, in future, we may be at liberty to consider it

p. 529 The governors message of June 13.th 1768, and the amounts therewith sent; Read a second time: The question was put, Whether the said accounts be allowed? Resolved in the affirmative

For the affirmative

Wolstenholme	Parran	Veazy
Eden	Gantt	Ward
Key	Grahame	Wright
Buchanan	Wilson	Selbey
Ringgold	Goldsborough	Purnel
Gresham	N. Thomas	Cresap
Mackall	Steele	

[20]

For the negative

Bordley	Ware	Tyler
Chase	Harrison	Allen

Worthington
Johnson
Griffith

Hayward
Dickinson
Beall

Luckett

[13] L. H. J.
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John Beale Bordley esquire from the upper house, delivers to M.^r speaker, the following paper bills viz^t

A bill entitled an act for erecting a court house and public prison, for Baltimore County, in the town of Baltimore, and for making sale of the old court house and prison

A bill entitled an act to prevent the exportation of flour, staves, and Shingles, not merchantable, from the town of Baltimore in Baltimore County and to regulate the weight of hay, and measure of grain, salt flax seed and firewood, within the said town

A bill entitled an act for the adjournment and continuance of Frederick County court

A bill entitled an act confirming to Spedding Bromwell of Talbot County certain lots of land therein mentioned Which bills were thus severally indorsed "By the upper house of assembly June 18.th 1768 The ingrossed bill, whereof this is the original, read and assented to.

Signed by order U. Scott cl: up: ho

Also a bill, entitled, an Act for amending and declareing the Law in the Cases therein mentioned indorsed: "By the upper house of assembly, June 17, 1768: Read the first time, and ordered to lie on the Table,

Signed by Order, U. Scott clk up. ho

By the Upper House of Assembly, June 18, 1768: Read the second time and will pass with the annexed amendments.

Signed by Order, U. Scott, clk up, ho,

1.st Amendment,] In the last line of the first page, after the Word "upwards," insert the following words, Viz. "or an Estate of Freehold; as aforesaid, of the full Value of £50 Sterling at the least,"

2.^d Amendment.] Strike out the first enacting clause in the third page, and the proviso immediately following that Clause; and also the second enacting Clause, in the said page,

3.^d Amendment,], At the end of the third page, add as follows, "and also after the Dissolution of any Injunction, of, or from the Court of Chancery, or the Discharge, or Expiration of any Supersedeas, on Appeal, or any Writ of Error, at any time, within twelve Months after Dissolution of such Injunction or discharge, or Expiration of such Supersedeas

4.th Amendment.] In the 6th and 7.th lines of the 4.th page. leave Out the following Words Viz "or as of any preceding Court, according to the Agreement of the parties, and terms of such Submission.

L. H. J. 5.th Amendment.] In the 13.th line in the same page, leave Out
 Liber No. 52 the Words, "in the first of their sitting, and in their stead, insert
 June 18 the following Words, Viz within Seven Days after such award shall
 be produced in Court, to the said Justices,

6.th Amendment,] In the 14.th line of the same page, after the
 word "in," insert the following words, Viz "or by Surprise, Im-
 position, or deception of," and after the word arbitrators," in the
 said line, insert the following words, Viz "or without due Notice to
 the parties; or their Attorney, or Attornies,

7.th Amendment.] leave out, in the 5.th page, what follows after the
 Word "notwithstanding in the said page,

8.th Amendment.] leave Out the 2.^d Line of the last enacting
 p. 530 Clause, the words. "and Execution thereupon had;" and after the
 word "Confession," in the 4.th Line leave Out what follows, to the
 end, and add the following proviso Viz "provided always that noth-
 ing in this Act contained, shall extend, or be construed to extend to
 establish or in any manner Affect any Judgment, that hath been
 entered, on which any Writ of error, or appeal, hath been prosecuted,
 or is now depending; but that Judgment shall be considered, in all
 Respects, as if this Act had not been made, or be construed to affect
 any person, or persons, that hath, or have purchased, any lands,
 Tenements or Hereditaments, bona fide, and on good and Valuable
 Consideration: but that such purchaser, or purchasers, shall be and
 remain in the same state, Right, and Condition as if this Act had
 not been passed and also the following clause;

"This Act to continue for, and during the space of three years,
 and to the end of the next session of Assembly, which shall happen,
 after the expiration of the said three years, The House Adjourns
 till 11 o'Clock

post Meridiem The House met according to Adjournment,

The ingrossed Bill, entitled, an Act for the Speedy and effectual
 publication of the Laws of this province, and for the encouragement
 of Anne Catharine Green, of the City of Annapolis printer And the
 ingrossed Bill, entitled a Supplementary Act to the Act, entitled an
 Act to establish a Road from Hunting Creek, in Dorchester County,
 to Dover in Talbot County: Read and assented to and sent to the
 Upper House, by M^r Grahame, and M^r Steele with the paper Bills
 thereof, M^r Hall brings in, and delivers to M^r Speaker, the Bill
 entitled, an Act for the Relief of the Reverend John M^pherson,
 of Charles County: which is read the first time, and Ordered to lie
 on the Table

The petition of Thomas Harrison, read the second time, and
 granted, leave given to bring in a Bill, according to prayer,

M^r Allen brings in, and delivers to M^r Speaker, the Bill entitled,
 an Act for the Relief of certain Languishing prisoners, in the

Several Jails therein Mentioned: Which is Read the first and second time, by an especial Order, and will pass, sent to the Upper House by M^r Wilson, and M^r Grahame

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John Beall Bordley Esq.^r from the Upper House, delivers to M^r Speaker, the following paper Bills, Viz

A Bill, entitled, an Act for the speedy and effectual publication of the Laws of this province, and for the encouragement of Anne Catharine Green, of the City of Annapolis printer And a Bill, entitled, A Supplementary Act to the Act, entitled, an Act to establish a Road from Hunting Creek in Dorchester County, to Dover, in Talbot County: which Bills were severally indorsed: "By the upper House of Assembly, June 18.th 1768: The ingrossed Bill, whereof this is the Original, read and assented to

Signed by Order, U, Scott clk. Up. Ho,

M.^r Murdock has Leave of Absence

Benedict Calvert, and John Ridout, Esq.^r from the upper House, acquaint M^r Speaker that the Governor requires the Attendance of the Members of the Lower House in the upper House, M.^r Speaker (with the Rest of the Members) went to the upper House and there presented to the Governor, the following Bills Viz An Act to remedy the Inconveniences arising from the Loss of some proceedings, in S.^t Marys County, Court

An Act for the preservation of the Breed of fish

An Act to prevent any Obstruction of the Navigation in the River patowmack.

An Act for appointing new Visitors for the publick school in Frederick County, and for the purposes therein Mentioned,

An Act for granting to the Nanticoke Indians, a Compensation p. 531 for the Lands therein mentioned, A Supplementary Act to an Act, entitled, an Act for erecting a new parish in Kent County, called Chester parish, and for the Building a parish Church, and enlarging a Chapel of ease within the said parish,

An Act to impower the Justices of Somerset and Worcester Counties to levy on the Taxable inhabitants of Stepney parish, in Somerset and Worcester Counties, the Quantity of One hundred and Sixty thousand pounds of Tobacco for the Uses therein Mentioned

An Act for the Recovery of Certain Amerciaments, and also upon Defaults on Executions

An Act for the Relief of Joseph Scott, of Worcester County,

An Act reviving and Continuing an Act, entituled, an Act to establish a Market, at the Market House in Chester Town in Kent County, and for the Regulation of the said Market

An Act to prohibit raising of swine and Geese in George Town,

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in Kent County, and in Snow Hill Town in Worcester County, An Act for erecting a Court House and publick prison for Baltimore County, in the Town of Baltimore, and for making Sale of the old Court House and prison, An Act to prevent the exportation of flour, Staves and shingles, not Merchantable from the Town of Baltimore, in Baltimore County, and to regulate the weight of Hay, Measure of Grain Salt, flax seed, and firewood, within the said Town, An Act for the Adjournment and Continuance of Frederick County Court, An Act confirming to Spedding Bromwell, of Talbot County, Certain Lotts of Land therein Mentioned, An Act for the Speedy and effectual publication of the Laws of this province, and for the Encouragement of Anne Catharine Green, of the City of Annapolis printer,

A Supplementary Act to the Act, entitled, an Act to establish a Road from Hunting Creek in Dorchester County, to Dover in Talbot County, Which Bills his Excellency past into Laws, in the usual manner,

M^r Speaker (with the rest of the members) returned to the Lower House, and resumed the Chair, the ingrossed Bill, entitled, a Supplementary Act to the Act, to enable the Visitors of Kent County School, for the Time being, to Lease out part of the Land belonging to the said School: Read, and assented to; and sent to the upper House, by M^r Buchannan, and M^r Bordley,

The Bill, entitled, an Act to give Thomas Harrison a farther time to effect the Removal of a Nuisance, in Baltimore Town, in Baltimore County: Read the first and second time by especial Order, and will pass, Sent to the upper House by M^r Thomas, and M^r Purnell

The Bill, entitled, An Act to impower Mary Philpot, widow and Administratrix of Brian Philpot, late of Baltimore Town in Baltimore County Merchant, deceased, to sell the Real Estate of her said Husband, for the payment of the Debts of the said Brian Philpot: Read the first and second time, by an especial Order and will pass,

Benedict Calvert, Esq.^r from the upper House, delivers to M^r Speaker, the Bill entitled An Act to prevent the evils arising from the Manumission of Slaves; indorsed "by the Upper House of Assembly, June 16: 1768 Read the first time and Ordered to lie on the Table,

Signed by Order. U. Scott, cl, Up, Ho,

By the upper House of Assembly, June 18.th 1768 Read the second time, and will pass, with the annexed Amendments,

Signed by Order, U Scott, cl, up ho,

Leave out the first and second proviso, in the second page, and the word and, before the third proviso, and the word also, after

the word provided, Leave Out the enacting Clause, beginning at the third Line from the Bottom of the said page, Add, after the third line in the Last page, provided always that any Slave, committed as aforesaid shall on the application of the Owner, or Owners of such slave, or his or her Overseer, or Other person appointed by him, or her, be delivered, by the Jailer, to the said Owner or Owners, or his or her Overseer, or Other person appointed by him, or her, on Affidavit being made before some Justice of the peace and lodged with the said Jailer, that such slave did not depart and remain at large, by and with the Consent and permission of such Owner or Owners, and also, that before any slave be sold, in any Instance, that the Owner, or Owners of such Slave, be Summoned to be, and appear at the Court in which such sale shall be made, in Order that the Owner or Owners may shew Cause why such slave should not be sold, And, in any case, wherein it shall appear to the Justices, on examination of the Owner or Owners, or Otherwise, that any Slave did not depart, as aforesaid, or remain at large, by or with the consent or permission of the Owner or Owners of such slave, then such Slave, shall be delivered to the said Owner, or Owners, or his or their Overseer, or Other person, appointed by him or them,

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In the 4.th page, instead of the words, "to be applied, as herein before is Directed;" insert the following words, Viz. "to be paid to the Visitors of the free School of that County, for the Use of the said School, This act to Continue for, and during the Term of three years and until the end of the next Session of Assembly, which shall happen after the Expiration of the said three years, Ordered, That Henry Wilkins be discharged from any further Attendance, as Clerk to the Committee of this House, M.^r Gale has Leave of Absence

The House adjourns 'til Monday Morning, 8, oClock,

Monday, June 20.th

June 20

This House met according to Adjournment, The Members were called, and all appeared as on Saturday, except M.^r Hayward, and M^r Murdock, the proceedings of Saturday were read.

The Bill, entitled an Act to impower Mary Philpot Widow and Administratrix of Brian Philpot, late of Baltimore Town in Baltimore County, Merchant, deceased, to sell the Real Estate of her said Husband, for the payment of the Debts of the said Brian Philpot; Sent to the Upper House, by M^r Selbey, and M^r Mackall,

The ingrossed Bill, entitled, an Act for turning part of a Street, called East Street, in the City of Annapolis, and for confirming the Title of Thomas Jenings, Esq.^r of the said City to a Lot of Ground therein: Read and Assented to, and sent to the upper House, by the same Gentlemen with the paper bill thereof,

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June 20

Walter Dulany, Esq.^r from the upper House, delivers to M.^r Speaker, the Bill, entitled an Act to impower, Mary Philpot, widow and Administratrix of Brian Philpot, late of Baltimore Town, in Baltimore County, Merchant deceased, to sell the Real Estate of her said Husband, for the payment of the Debts of the said Brian Philpot, indorsed; By the Upper House of Assembly, June 20.th 1768 Read the first and second time by especial Order and Will pass,

Signed by Order U Scott, Ck. Up. ho,

Also the Bill, entitled, an Act to give Thomas Harrison further time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County; indorsed "By the Upper House of Assembly, June 18.th 1768 Read the first time, and Ordered to lie on the Table,

Signed by Order. U Scott, Ck, up, ho,

By the upper House of Assembly, June 20.th 1768. Read the second time and Will pass

Signed by Order, U, Scott, Ck, up, ho,

which Bills were Read, and passed for ingrossing, Also the paper Bills, entitled an Act, for turning part of a Street, called East Street in the City of Annapolis, and for Confirming the Title of Thomas Jenings, Esq.^r of the said City to a Lot of Ground therein

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And a Bill, entitled a Supplementary Act to the Act, to enable the Visitors of Kent County School, for the time being, to Lease Out part of the Land belonging to the said School, indorsed "by the Upper House of Assembly, June 18.th 1768: The ingrossed Bill, whereof this is the Original, read, and Assented to

Signed by Order U, Scott, Ck up. ho,

M^r Grahame brings in, and delivers to M^r Speaker, the following report

By the Committee appointed to state the facts contained in the petition of Cap.^t Richard Pearis Your Committee observe to the Honourable House, that the petitioner commanded a Company, in the pay of this province, during the late War. That it appears to your Committee, from the information of Captain Ware, that the petitioner advanced very Considerable Sums of Money for the support of his Company, during the Time the Troops served, after the Money granted by this province, was expended, That the petitioner suffered much inconvenience, and a Considerable loss, by laying Out of the Money he had so advanced, near Five years, before any part of it was repaid him, That the petitioner's Company, being the youngest in the Service of this province, was the first reduced, and the Men distributed among the Other Companies, That it appears to your Committee, by the Affidavit of the petitioner that his Company, being so reduced, in the Beginning of the Campaign commanded by General Forbes, he acted as Captain Lieutenant, by brevet,

from Col, Dagworthy, by the particular Order of the General, during the remaining part of the said Campaign That by some Means or Other, his Name, after receiving his Brevet, was left Out of the Muster Rolls, which were sent to England, for the pay of those Troops, That during the Campaign, he was Ordered Out by the General, to reconnoitre towards Fort du Quesne with a party, and, if possible, to bring in a prisoner in the Beginning of the Month of November That, on the 14.th of that Month, he returned with an Indian Man, and a Squaw, whom he delivered to the General; and that he has never received any pay, either from the Crown or this province; for the Time during which he acted by Brevet, nor any Reward or Compensation for his Services, in taking the said prisoners,

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Your Committee Observe, that the Fact respecting the taking the two Indians, is also Attested by a Certificate from the late Col. Henry Bouquet. All which is Submitted to the Consideration of the Honourable House.

Signed per Order, Edward Ford, Cl, Com,

Which is read the first time and ordered to lie on the table.

The governor communicates to M.^r speaker, the following message
Gentlemen of the lower house of assembly,

The King, our most gracious sovereign, having been informed, that a circular letter, a copy of which hath been communicated to his ministers, was, in February last, sent by the speaker of the house of representatives, of the colony of Massachusetts to the speakers of other houses of assembly in North America, hath been pleased to order it to be signified to me, that he considers such measure to be of a most dangerous and factious tendency calculated to inflame the minds of his good subjects in the colonies to promote an unwarrantable combination, to excite and encourage an open opposition to, and denial of the authority of parliament, and to subvert the true principles of the constitution; but while I notify to you his majesty's sentiments, with respect to this matter; I am also to tell you, that the repeated proofs which have been given by the assembly of this province, of their reverence and respect for the laws, and of their faithful attachment to the constitution, leave little room for his majesty to doubt of their shewing a proper resentment of such unjustifiable attempt to revive those distractions which have operated so fatally to the prejudice of both the colonies, and the mother country. And I flatter myself that in case such letter has been addressed to the speaker of your house, you will confirm the favorable opinion, his majesty at present entertains of his Maryland subjects, by taking no notice of such letter, which will be treating it with the contempt it deserves

20.th June 1768.

Hor^o Sharpe

L. H. J. John Beale Bordley esquire from the upper house, delivers to
 Liber No. 52 M.^r speaker, the bill entitled an act for licensing ordinary keepers,
 June 20 hawkers, pedlars, and petty chapmen; indorsed: By the upper house
 p. 534 of assembly, June 18.th 1768, Read the first time and ordered to lie
 on the table

Sign'd by order U. Scott cl: up: ho

By the upper house of assembly June 20.th 1768. Read the second time and will pass.

Sign'd by order. U. Scott cl: up: ho

Also a bill entitled an additional supplementary act, to the act entitled an act for the establishment of religious worship in this province, according to the church of England, and for the maintenance of ministers, indorsed: By the upper house of assembly, June 16.th 1768: Read the first time and ordered to lie on the table

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 20.th 1768. Read the second time, and will pass with the following amendment. In the second line from the bottom of the last page, after the word "act" insert the following words viz.^t "to take place and effect, on the first day of March next, and from the said first day of March.

Signed by order U. Scott cl: up: ho

M.^r Thomas brings in and delivers to M.^r speaker, a bill entitled an act for building a parish church, and chapel of ease in saint Johns parish in Queen Anns County: Which is read the first and second time by especial order, and will pass

The bill entitled an act for the relief of John Macpherson of Charles County; Read the second time and will pass. Which bills were sent to the upper house by M.^r Thomas and M.^r Beall.

The house adjourns 'till 2. o'clock

Post meridiem. The house met according to adjournment

The ingrossed bill entitled an act to give Thomas Harrison further time to effect the removal of a nuisance in Baltimore town in Baltimore County; Read and assented to, and sent to the upper house by M.^r Thomas and M.^r Beall

M.^r Basil Wheeler is appointed a committee clerk. Ordered that the clerk of this house do acquaint M.^r Ghiselin therewith, and request him to qualify said Wheeler.

M.^r William Thomas, a delegate returned for saint Marys County, appeared in the house. Ordered that M.^r Key and M.^r Eden do go with the gentleman to the upper house to see him qualified. They return and acquaint M.^r speaker they saw him qualified in the usual manner.

The gentleman took his seat in the house

Ordered that M.^r Jennings and M.^r Johnson be added to the committee of aggrivances, and Courts of justice.

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M.^r Reverdy Ghiselin certifies to the house, that he qualified M.^r Basil Wheeler as clerk to the committees of this house, in the usual manner.

On taking into consideration, the amendments proposed by the upper house to the bill entitled an act to prevent the evils arising from the manumission of slaves; the same were rejected.

On taking into consideration the amendments proposed by the upper house to the bill entitled an act for amending and declaring the law in the cases therein mentioned; The 1.st 2.^d 3.^d and 4.th amendments agreed to, the 5.th disagreed to; the 6.th 7.th and 8.th agreed to. Ordered that the gentlemen who drew the said bill, do prepare a message to the upper house, upon the subject matter of the 5.th amendment

Benedict Calvert esquire from the upper house delivers to M.^r speaker, a bill entitled an act for building a parish church and chapel of ease in saint Johns parish in Queen Anns County, indorsed: By the upper house of assembly June 20th 1768. Read the first and second time by an especial order and will pass.

Sign'd by order U. Scott cl: up: ho:

A bill entitled an act for the relief of certain languishing prisoners in the several Jails therein mentioned; indorsed: By the upper house of Assembly June 18.th 1768. Read the first time and ordered to lie on the table.

Sign'd by order U. Scott cl: up: ho:

By the upper house of assembly June 20.th 1768 Read the second time and will pass

Signd by order, U. Scott cl: up: ho:

Which Bills were read here, and passed for ingrossing, Also the paper Bill, entitled, an Act to give Thomas Harrison further time to effect the Removal of a Nuisance, in Baltimore Town in Baltimore County; indorsed by the upper House of Assembly, June 20, 1768: The ingrossed Bill, whereof this is the [original], read and assented to,

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Signed by Order U, Scott, Cl, Up Ho,

Also a Bill, entitled, an Act for the Relief of the Reverend John M.^{pherson}, of Charles County; indorsed, "By the Upper House of Assembly, June 20, 1768: Read the first and second time, by especial Order, and will pass, with the following Amendments. After word "arising." in the 4.th Line from the Bottom of the 1.st page, add the following Words Viz "and which shall arise" After the word "County," in the 2^d page, and in the 3.^d Line from the Bottom thereof add, "or any Other parish within this province," Leave Out, in the

L. H. J. 3^d Line of the 2^d page, the following Words, Viz. "and who have
 Liber No. 52 not Mortgages" on the Real or personal Estate
 June 20

Signed by Order U. Scott Cl, Up. Ho.

Which amendments were agreed to, and the Bill Ordered to be ingrossed

The petition of Eleanor Duvall, read the second time and rejected, The petition of John Marshall, and George Scroggin, read the second time and rejected,

The Address to his Excellency, read the second Time, approved of, and Ordered to be ingrossed

The Letter from Peyton Randolph, Esq.^r; Speaker of the House of Burgesses of the Colony of Virginia, as also the Resolve of that House, respecting a Light House, were read the second time, and referred to the Consideration of the next Assembly,

M^r Goldsborough, from the Committee of Accounts, delivers to M.^r Speaker, the Journal of Accounts and List of Debts,

The Report of the Committee, appointed to state the Facts contained in the petition of Captain Richard Pearis, read the second time, The House concurs therewith, and allowed him One hundred and fifty pounds, as a Compensation for his Services

The ingrossed Bill, entitled, An Act, to empower Mary Philpot, widdow and Administratrix of Brian Philpot, late of Baltimore Town, in Baltimore County, Merchant deceased, to sell the Real Estate of her said Husband, for the payment of the Debts of the said Brian Philpot Read and assented to, The House proceeds to tax the following Bills, Viz,

The Bill, entitled, An Act to enable Mary Darnall, an infant, to enter into and except [accept] of a Marriage Settlement and Agreement

To the Honourable Speaker..... £10.. 0..0
 To the Clerk..... 5.. 0..0

An Act confirming to Spedding Bromwell, of Talbot County of Talbot County, certain Lots of Land therein Mentioned,

To the Honourable Speaker..... £1.. 0..0
 To the Clerk..... 0..10..0

An Act for turning part of a Street, called East Street in the City of Annapolis, and for Confirming the Title of Thomas Jenings, Esq.^r of the said City, to a lot of Ground therein

To the Honourable Speaker..... £1.. 0..0
 To the Clerk..... 0..10..0

An Act to give Thomas Harrison further time to effect the Removal of a Nuisance in Baltimore Town, in Baltimore County,

To the Honourable Speaker..... £1.. 0..0
 To the Clerk..... 0..10..0

An Act to impower Mary Philpot, Widdow and Administratrix of Brian Philpot, late of Baltimore Town, in Baltimore County, Merchant, deceased, to sell the Real Estate of her said Husband, for the payment of the Debts of the said Brian Philpot,

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To the Honourable Speaker..... £1.. 0..0
To the Clerk..... 0..10..0

Resolved, that the Honourable Speaker, Messieurs William Murdock, Matthew Tilghman Thomas Ringgold, Thomas Johnson, Jun.^r and John Hall, be a Committee to Correspond, in the Recess of Assembly, with Charles Garth, Esq.^r, Our Agent, for conducting and Managing the Dispute, between the Lord Proprietary And the people of this Province,

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The House adjourns 'til ToMorrow Morning 8. o'Clock

Tuesday, June 21,

June 21

The House met according to Adjournment, The Members, were called, and all appeared as on Yesterday, The proceedings of Yesterday were read, The Report of the Committee appointed to inspect into the Records and proceedings in the Several publick Offices, read the second Time, and concurred with, M.^r Hall brings in, and delivers to M.^r Speaker, the following Message,

By the Lower House of Assembly, June 21, 1768

May it please your Honours,

This House agrees to the passage of the Bill, entitled, An Act for amending and declaring the Law in the Cases therein Mentioned, with all your proposed Amendments, except the Fifth, which, we are apprehensive, might be productive of too much Delay, and therefore inconvenient in the County Courts, as those Courts do not Generally sit seven Days at One time we therefore propose, that instead of the fifth Amendment, the Proviso be as follows, provided always, that such Award shall remain seven Days in the Provincial Court, during their Sitting, if returned to the Provincial Court; or Three Days in the respective County Courts, during the Sitting, if returned to any County Court, after the Return thereof, before any such Judgment shall be entered up, And if it shall appear to the Justices of the Court, to which any such Award shall be returned, within the respective times aforesaid, that the same was Obtained by Fraud, or Malpractice, in, or, by Surprise, Imposition, or Deception of the Arbitrators, or without due Notice to the Parties, or their Attorney, or Attornies, it shall and may be lawful for the said Court, to set aside such Award, and refuse to give Judgment thereon

Signed by Order, T. Wright, Cl, Lo. Ho,

Which is read the first Time and ordered to lie on the Table

L. H. J. M^r Ringold brings in, and delivers to M^r Speaker, the ingrossed
 Liber No. 52 Address to his Excellency: Which is read, and assented to, and
 June 21 signed, by Order of the House by the Honorable Speaker

Ordered, that M^r Goldsborough, and M^r Steele, do acquaint his Excellency, this House hath prepared an Address to be presented to him, and desires to know when, and where, he will pleased to receive it They return, and acquaint M^r Speaker, the Governor signified he would recieve it in a Quarter of an Hour, in the Conference Chamber

Ordered, that M^r Worthington, and three more, do present the Address

The ingrossed Bill, entitled, an Act for the Building of a Parish Church, and Chapel of Ease, in S^t John's Parish in Queen-Anne's County: Read, and assented to; and, with the Paper Bill thereof, sent to the Upper House, by M^r Wright, and M^r Ware

Ordered, that the Register of the Land Office, do put, and keep the several Books, in his Office, in better Condition and Order, than they now are; and that he do transcribe the general Alphabet of the Land Records, in the said Office

p. 537 The Message to the Upper House, read the second Time, approved of, and ordered to be ingrossed

The ingrossed Bill, entitled, an Act to impower Mary Philpot, Widow and Administratrix of Brian Philpot &c. Sent to the Upper House, by M^r Wright, and M^r Ware

M^r Ringold brings in, and delivers to M^r Speaker, the ingrossed Message to the Upper House; Which is read, and assented to; and sent to the Upper House, by M^r Ringold, and M^r Key

John Ridout, Esq; from the Upper House, delivers to M^r Speaker the following Message:

By the Upper House of Assembly, June 21, 1768
 Gentlemen,

In Answer to your Message of this Day, by Messieurs Ringold, and Key, this House agrees to pass the Bill, entitled, an Act for amending and declaring the Law, in the Cases therein mentioned, according to your Proposition in the said Message

Signed per Order, Upton. Scott. Cl. Up. Ho.

Ordered, that the Bill, to which the above Message refers be ingrossed

Also delivered, by the same Gentleman, the following Paper Bills, viz

A Bill, entitled, an Act to empower Mary Philpot, Widow and Administratrix of Brian Philpot, late of Baltimore Town, in Baltimore County, Merchat, deceased, to sell the Real Estate of her said Husband, for the Payment of the Debts of the said Brian Philpot

And a Bill, entitled, an Act for the building a Parish Church, and Chapel of Ease, in St John's Parish, in Queen Anne's County; severally indorsed: By the Upper House of Assembly, "June 21, 1768: The ingrossed Bill whereof this is the Original, read and assented to
Signed by Order, U. Scott, Cl. Up. Ho."

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Upon taking into Consideration, the Amendment proposed by the Upper House, to the Bill, entitled an Additional Supplementary Act, to the Act, entitled, An Act for the Establishment of Religious Worship, &c

Resolved that the said Amendment be adopted, and that the Bill be ingrossed.

M^r Ringold brings in, and delivers to M^r Speaker, the following Message:

By the Lower House of Assembly, June 21, 1768
May it please your Honours,

We are preparing an Ordinance, for the immediate Reimbursement of his Excellency the Governor, his Account of Supplies, to the Nanticoke Indians, and for the Payment of Cap^t Richard Paris, for his Services to this Province, during the late War, and for Payment to John Duckett, for supplying a Book, and transcribing therein the votes and proceedings of the lower house of assembly from the year seventeen hundred and four until seventeen hundred and fifteen, inclusive: By the committee of both houses of assembly appointed to inspect the office and proceedings of the late commissioners for paying off the public claims, and emitting bills of credit established by act of assembly, out of the bills of credit now in the office, belonging to the country, and hope for your honors concurrence

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Sign'd by order T. Wright cl: lo: ho

The house adjourns til 2 o'clock

Post Meridiem. The house met according to adjournment

The ingross'd bills, entitled, An act for the relief of the reverend John Macpherson of Charles county: An act for the relief of certain languishing prisoners in the several jails therein mentioned: And An act for licensing ordinary-keepers, hawkers, pedlars, and petty-chapmen: read and assented to; and sent to the upper house by M.^r Selbey and M.^r Mackall

The message to the upper house, read a second time, approved of and ordered to be ingrossed: The ingross'd message read and assented to and sent to the upper house by M.^r Goldsborough and M.^r Eden

The Governor's message of the 20.th read the second time. Ordered that M.^r Tilghman M.^r Johnson, M.^r Hall, M.^r Chase, M.^r

L. H. J. Jennings, M.^r Ringgold, and M.^r Grahame do prepare an address to
 Liber No. 52 his excellency in answer thereto
 June 21

The ingrossed bill entitled An act for amending and declaring the law in the cases therein mentioned: Read, and assented to; and sent to the upper house by M.^r Grahame and M.^r Buchanan

Benedict Calvert Esquire from the upper house delivers to M.^r Speaker, the bill entitled, An act for the relief of the poor within the several counties therein mentioned; indorsed "By the upper house of assembly June 16.th 1768: Read the first time and ordered to lie on the table

Signed by order U Scott cl: up: ho:

"By the upper house of assembly June 21.st 1768: Read the second time and will pass.

Sign'd by order U Scott cl: up: ho:

Which is read here and pass'd for ingrossing

The ingross'd bill entitled, An additional supplementary act to the act entitled an act for the establishment of religious worship in this province, according to the church of England, and for the maintenance of ministers: Read and assented to, and sent to the upper house by M.^r Allen and M.^r Griffith.

Walter Dulany Esquire from the upper house, delivers to M.^r Speaker the paper bills entitled, An act for the relief of the reverend John Macpherson of Charles county,

An act for the relief of certain languishing prisoners in the several jails therein mentioned, An act for licensing ordinary keepers, hawkers, pedlars, and petty chapmen, And An act for amending and declaring the law in the cases therein mentioned: Which bills were severally indorsed "By the upper house of assembly, June 21.st 1768, The ingross'd bill whereof this is the original, read and assented to.

Sign'd by order U Scott cl: up: ho:

M.^r M Tilghman brings in and delivers to M.^r speaker the following petition,

p. 539 To the Kings most Excellent Majesty,
 Most gracious Sovereign

Your Majesty's most dutiful and loyal subjects, the representatives of the freemen of your province of Maryland, happy in their allegiance to the best of Kings, and warm in affection and attachment to your sacred person and government, with all humility beg leave to approach the throne and supplicate your Majesty, ever graciously inclined to hear the just complaints of your most remote subjects.

Your Majesty's people of this province, conceive it a fixed, and unalterable principle in the nature of things, and a part of the very

idea of property; that whatever a man hath honestly acquired cannot be taken from him without his consent: This immutable principle they humbly apprehend, is happily ingrafted as a fundamental into the english constitution, as is fully declared by Magna Charta and by the petition, and bill of rights: Hence it is that your Majesty's most distant subjects are justly entitled to all the rights liberties, privileges, and immunities of your subjects born within the kingdom of England. Under this idea, your Majesty's royal predecessor King Charles the first, by his charter of this province did grant as follows "We will also, and of our more abundant grace, for us our heirs, and successors do firmly charge, constitute, ordain, and command that the said province be our allegiance; and that all and singular the subjects and liege-men of us, our heirs, and successors transplanted or hereafter to be transplanted into the province aforesaid, and the children of them, and of others their descendants, whether already born there, or hereafter to be born, be and shall be natives and liege-men of us our heirs and successors of our kingdom of England and Ireland; and in all things shall be held treated, reputed, and esteemed as the faithful liege-men of us, and our heirs and successors, born within our kingdom of England; also lands, tenements, revenues, services, and other hereditaments whatsoever within our kingdom of England, and other our dominions, to inherit or otherwise purchase, receive, take, have, hold, buy and possess, and the same to use and enjoy, and the same to give, sell, alien, and bequeath; and likewise all privileges, franchises, and liberties of this our kingdom of England, freely, quietly, and peaceably to have and possess, and the same may use and enjoy in the same manner as our liege-men born, or to be born within our said kingdom of England, without impediment, molestation, vexation, impeachment, or grievance of us or any of our heirs or successors; any statute, act, ordinance, or provision to the contrary thereof notwithstanding. And further we will, and do by these presents for us our heirs and successors covenant and grant to and with the aforesaid now Baron of Baltimore, his heirs and assigns, that we, our heirs and successors, at no time hereafter will impose or make, or cause to be imposed, any impositions, customs or other taxations, quotas, or contributions whatsoever in or upon the residents or inhabitants of the province aforesaid for their goods, lands or tenements within the same province, or upon any tenements, lands, goods or chattels, within the province aforesaid, or in or upon any goods or merchandizes within the province aforesaid or within the ports or harbours of the said province to be laden or unladen. And we will and do, for us, our heirs and successors, enjoin and command that this our declaration shall from time to time be received and allowed in all our courts and prætorian judicatories and before all the judges whatsoever of us, our heirs and successors for a sufficient and lawful discharge, payment and acquittance thereof, charging all

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and singular the officers and ministers of us our heirs and successors and enjoining them under our heavy displeasure, that they do not at any time presume to attempt anything to the contrary of the premises or that may in any wise contravene the same, but that they, at all times as is fitting, do aid and assist the aforesaid now Baron of Baltimore, and his heirs, and the aforesaid inhabitants, and merchants of the province of Maryland aforesaid, and their servants and ministers, factors and assigns in the fullest use and enjoyment of this our Charter"

Our ancestors firmly relying on the royal promise, and upon these plain and express declarations of their inherent, natural, and constitutional rights, at the hazard of their lives and fortunes, transported themselves and families to this country, then scarcely known, and inhabited only by savages: The prospect of a full and peaceable enjoyment of their liberties and properties, softened their toils, and strength'ned them to overcome innumerable difficulties. Heaven prospered their endeavors and has given to your Majesty a considerable increase of faithful subjects, improved the trade, and added riches to the mother country. Thus happy in the enjoyment of the rights and privileges of natural born subjects, have they, and their posterity lived and been treated as freemen; and thus hath the great fundamental principle of the constitution, that no man shall be taxed but with his own consent, given by himself or by his representative been ever extended, and preserved inviolate in this remote part of your Majesty's dominions, until questioned lately by your parliament

It is therefore with the deepest sorrow, may it please your most excellent Majesty, that we now approach the throne on behalf of your faithful subjects of this province, with all humility to represent to your Majesty that by several statutes lately enacted in the parliament of Great Britain by which sundry rates and duties are to be raised and collected within your Majesty's colonies in America for the sole and express purpose of raising a revenue, this great fundamental principle of the constitution, is, in our apprehension, infringed. The people of this province, royal sire, are not in any manner, nor can they ever possibly be effectually represented in the british parliament; while therefore your Majesty's commons of Great Britain continue to give and grant the property of the people in America, your faithful subjects of this, and every other colony must be deprived of that most invaluable privilege, the power of granting their own money; and of every opportunity of manifesting by chearful aids, their attachment to their King, and zeal for his service, they must be cut off from all intercourse with their sovereign, and expect not to hear of the royal approbation, they must submit to the power of the commons of Great Britain, and, precluded the blessings, shall scarcely retain the name of freedom

May we then, most gracious sovereign, be permitted humbly to implore your tender consideration of this unhappy circumstance of your american people. May we pray that your Majesty will extend to your faithful people of Maryland, that paternal regard which your Majesty hath so invariably shewn to the just rights of all your subjects; and be graciously pleased to grant them such relief as to your Majesty's wisdom and justice shall seem meet

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Which petition is approved of and ordered to be ingrossed

The ingrossed petition is brought in, read, assented to, and signed by order, and on behalf of the house, by the honorable Speaker, who is requested to transmit the same to Charles Garth Esquire, to be presented to his Majesty.

Benedict Calvert Esquire from the upper house delivers to M.^r Speaker the following message

By the upper house of assembly June 21.st 1768

Gentlemen,

Any ordinance you may prepare for reimbursing his excellency, the money he advanced on account of the Nanticoke Indians, and for an allowance to Captan Pearis, in consideration of his services to this province, during the war, will meet with our ready concurrence. We are also willing, that an allowance be immediately made to M.^r John Duckett for transcribing the book you mention; if at the same time you will agree to satisfy a claim, M.^r Ross, the late clerk of this house, had on the public for a similar service, by him performed in pursuance of an order of both houses, in the year 1739 and 1740, for which he was never paid; a copy of which account is herewith transmitted

Sign'd by order U Scott cl: up: ho:

Which was read the first and second time, by an especial order

M.^r Chase, M.^r Johnson, M.^r Ringgold and M.^r Hall, appointed a committee to prepare a message to the upper house in answer thereto

M.^r Speaker communicates to the house a letter from the Speaker of the house of Burgesses of Virginia respecting the late acts of parliament imposing duties to be collected in America for the sole purpose of raising a revenue; and the late act of parliament conditionally suspending the legislative power of New York. Which is read, and M.^r Speaker is requested by the house to write a respectful answer in the name of the house, to the same

The house adjourn's 'til to morrow morning 8 o'clock

Wednesday June 22.^d 1768.

June 22

The house met according to adjournment. The members were called and all appeared as on yesterday.

The proceedings of yesterday were read.

L. H. J. The ingross'd bill entitled an act for the relief of the poor within
 Liber No. 52 the several counties therein mentioned: Read and assented to; and
 June 22 with the paper bill sent to the upper house by M.^r Selbey and M.^r
 Tyler,

p. 542 The bill entitled an act to enable Thomas Hunt, executor of
 William Hunt late of London, merchant, deceased, and Jonathan
 Smyth, executor of Peter Bayard, late of Cæcil County, deceased,
 to pay the monies therein mentioned: Read the second time and
 will pass. Sent the upper house by M.^r Selby and M.^r Tyler

John Ridout Esquire from the upper house delivers to M.^r Speaker,
 the bill entitled an act to enable Thomas Hunt, executor of William
 Hunt &c.^a indorsed "By the upper house of assembly June 22.^d 1768:
 Read the first and second time by especial order, and will pass with
 the following amendment" In the fourth line from the bottom of the
 last page, strike out the words "two and an half," and insert in the
 place thereof, the word "five."

Sign'd by order U Scott cl: up: ho:

Which amendment is rejected.

M.^r Hall brings in, and delivers to M.^r Speaker the following
 message:

By the lower house of assembly June 22.^d 1768.

May it please your honors,

We cannot agree to make any allowance to M.^r Ross's executors,
 upon a claim so antient as the year seventeen hundred and forty,
 which we find has been frequently rejected, and doubt not, on suffi-
 cient reasons; and, by your state of the matter, appears to have been
 relinquished, ever since the year seventeen hundred and fifty three.

If your honors incline to pass the ordinance agreeable to our
 message, we shall prepare it: If not, the claims proposed to be pro-
 vided for, must lie over

Sign'd by order T. Wright cl: lo: ho:

Which is read the first and second time, approved of, and ordered
 to be ingross'd

M.^r Allen from the committee of aggrievances and courts of
 justice, brings in and delivers to M.^r Speaker, the following report

By the committee of aggrievances and courts of justice,
 June 22.^d 1768.

It appears to your committee, from the information of three of
 the delegates of Saint Marys county, that Richard Brown, incumbent
 of King and Queen parish, constantly resided out of his parish,
 upwards of three years together, without procuring any curate to
 officiate in his stead. That tho' he has lately returned to reside
 within his parish, his long course of immoral conduct, and his being

under a prosecution for the supposed murder of a negro has determined his parishioners, universally, not to hear him; and that the growth of popery and superstition, are, as may be expected, attendant consequences of such remiss and immoral conduct, but this information having been given so late, your committee could not make a full enquiry and examination into the matter; but humbly conceive it highly proper and necessary, that there should be strict enquiry into the causes of the apparent decay of the established religion, and the growth of popery and superstition, not only in that parish, but the growth of popery and superstition, and an increase of sects, dissenting from the established church in many other parts of this province. All which is humbly submitted to the consideration of your honorable house

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Sign'd by order Edward Ford clk

Which is read the first & second time by especial order, and concurred with

M.^r Johnson brings in and delivers to M.^r Speaker the following address p. 543

To his excellency Horatio Sharpe Esquire,
Governor of Maryland

May it please your excellency

In answer to your message of the sixteenth, we are not surprised at the grievous complaints of contractors for the transportation of felons, against the quarantine law, at their denial of notorious facts, or suppression of a considerable circumstance, the profitable price at which they generally sell the convicts, nor that they should, when actuated solely by sordid views, esteem the health of the inhabitants light in the scale, against a grain of their profit: But we are surprised at imaginary importance of these people, as well as at the ingratitude of their attempt to interest the government at home, against a country, from which they have extracted so much wealth, and at the expence of so many lives.

We think the quarantine law wants amendment; and are apprehensive, that the security of oaths, alone, is not sufficient to effect the salutary purpose of preventing a continuance of that cruelty, so long, and so fatally exercised, of distributing, with impunity, the jail-fever, and other infectious disorders. In compassion also to the infected, a place for their reception is desirable, and something from the profits of that trade would justly come into contribution; and we would willingly now go into a full enquiry and consideration of this subject, but the impatience, and indeed necessity, of most of our members, to return home, and secure their approaching harvest, has obliged us to refer the consideration of this, as well as many other matters of consequence to the next session of assembly

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Which is read the first and second time by especial order, approved of, and ordered to be ingross'd M.^r Hall brings in, and delivers to M.^r Speaker, the ingross'd message, which is read and assented to, and sent to the upper house by M.^r Dickinson, and M.^r Mackall

John Beall Bordley esquire, from the upper house delivers to M.^r speaker the paper bills, entitled an additional supplementary act to the act entitled, an act for the establishment of religious worship in this province according to the church of England, and for the maintenance of ministers. An act for the relief of the poor within the several counties therein mentioned; severally indorsed: By the upper house of assembly June 22.^d 1768. The ingross'd bill, whereof this is the original, read and assented to

Sign'd by order U. Scott cl. up. ho:

Also a bill, entitled an act to promote, and forward the appeal now depending before his Majesty in council, on behalf of the people of this province; indorsed: "By the upper house of assembly June 10.th 1768: Read the first time and ordered to lie on the table.

Signed by order U. Scott cl: up: ho:

By the upper house of assembly June 22.^d 1768: Read the second time, and will not pass

Sign'd by order U. Scott cl. up. ho:

And the bill entitled an act for raising four pence sterling on every hogshead of tobacco, exported out of this province, for the support of an agent at London, for the service of this province; indorsed: "By the upper house of assembly June 9.th 1768: Read the first time and ordered to lie on the table.

Signed by order U Scott cl: up: ho:

By the upper house of assembly June 22.^d 1768: Read the second time and will not pass.

Sign'd by order U. Scott cl: up: ho.

M.^r Johnson brings in, and delivers to M.^r Speaker, the ingross'd address to his excellency, which is read, and assented to, and sign'd by order of the house, by the honorable Speaker.

Ordered, that M.^r Steele and M.^r Key, do wait on his excellency, and acquaint him, that this house hath prepared an address to be presented to him; and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r Speaker, his excellency signified he would receive the address immediately, in the conference chamber. Ordered that M.^r Johnson and three more do present the address.

M.^r Johnson brings in, and delivers to M.^r Speaker the following address

To his excellency Horatio Sharpe Esquire governor and commander
in chief in and over the province of Maryland

L. H. J.
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The humble address of the house of delegates.

May it please your excellency,

In answer to your excellency's message of the 20.th we must observe, that, if the letter from the Speaker of the house of representatives of the colony of Massachusetts Bay, addressed to, and communicated by our Speaker, to this house, be the same with the letter, a copy of which you are pleased to intimate, hath been communicated to the Kings ministers; it is very alarming, to find, that at a time when the people of America think themselves aggrieved by the late acts of parliament, imposing taxes on them, for the sole and express purpose of raising a revenue, and in the most dutiful manner are seeking redress from the throne, any endeavors to unite in laying before their Sovereign, what is apprehended to be their just complaint, should be looked upon "as a measure of most dangerous and factious tendency, calculated to inflame the minds of his Majesty's good subjects in the colonies, to promote an unwarrantable combination, excite and encourage an open opposition to, and denial of, the authority of parliament, and to subvert the true principles of the constitution;" we cannot but view this, as an attempt, in some of his Majesty's ministers, to suppress all communication of sentiments between the colonies, and to prevent the united supplications of America, from reaching the royal ear. We hope, the conduct of this house, will ever evince their reverence and respect for the laws, and faithful attachment to the constitution; but we cannot be brought to resent an exertion of the most undoubted constitutional right of petitioning the throne, or any endeavors to procure, and preserve, an union of the colonies, as an unjustifiable attempt, to revive those distractions, which, it is said, have operated so fatally to the prejudice of both the colonies and the mother country. We have the warmest, and most affectionate attachment to our most gracious Sovereign, and shall ever pay the readiest and most respectful regard to the just and constitutional power of the british parliament; but we shall not be intimidated, by a few sounding expressions, from doing what we think is right

The house of representatives of the colony of Massachusetts Bay, in their letter to us, have intimated, that they have preferred an humble, dutiful, and loyal petition to the King, and expressed their confidence, that the united, and dutiful supplications, of his distressed American subjects, will meet with his royal and favorable acceptance, and we think they have asserted their rights, with a decent respect to their Sovereign, and a due submission to the authority of parliament: What we shall do upon this occasion, or whether in consequence of that letter, we shall do any thing is not our present business to communicate to your excellency; but of this be pleased to be

L. H. J. assured, that we cannot be prevailed on, to take no notice of, or to
 Liber No. 52 treat with the least degree of contempt, a letter so expressive of duty
 June 22 and loyalty to the Sovereign, and so replete with just principles of
 liberty, and your excellency may depend, that whenever we apprehend the rights of the people to be affected, we shall not fail boldly to assert, and steadily endeavor to maintain and support them, always remembering what we could wish never to be forgot, that by the bill of rights, it is declared, "That it is the right of the subject to petition the King, and all commitments and prosecutions for such petitioning, are illegal

Which is read and approved of, and ordered to be ingrossed

The house adjourns 'til 2 o'clock

Post Meridiem. The house met according to adjournment

Benedict Calvert Esquire from the upper house delivers to M.^r Speaker the following message

By the upper house of assembly, June 22.^d 1768

Gentlemen,

M.^r Ross's executor, having, in consequence of some information, he has received, since he exhibited to this house, the account we sent you with our message of yesterday, desires that his claim might be waved, until he can have an opportunity of making further enquiry. We agree to its being left out of the ordinance, not doubting, but if he can make it appear at a future session that the allowance made to M.^r Ross was really inadequate to his services, and less, in proportion than that now proposed to be made to M.^r Duckett, you will be ready to make such further allowance, to M.^r Ross's executors, as may be agreeable to justice

Sign'd by order U. Scott cl: up. ho:

M.^r Johnson brings in, and delivers to M.^r Speaker the ingross'd address to his excellency: Which is read, and assented to, and signed by order of the house, by the honorable Speaker

Ordered, That M.^r Worthington and M.^r Johnson do wait on his excellency and acquaint him that this house hath prepared an address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r speaker that the governor will receive the address in the council chamber in half an hour

The following Ordinance, for the immediate reimbursement of his excellency Horatio Sharpe Esquire, governor, his account of supplies to the Nanticoke Indians; and for payment of Captain Richard Pearis for his services to this province during the late war; and for payment of John Duckett, for finding a book, and transcribing the votes and proceedings of the lower house of assembly, from the year seventeen hundred and four, until the year seventeen hundred and fifteen inclusive

It is ordained by his excellency the governor, and the upper and lower houses of assembly, that the committee of both houses of assembly, appointed to inspect the office and proceedings of the late commissioners, for paying off the public claims, and emitting bills of credit established by act of assembly, shall pay to his excellency, the governor, or his order, one hundred and twenty three dollars and two thirds of a dollar: To Captain Richard Pearis, or his order, four hundred dollars; and to John Duckett, or his order, one hundred and twenty four dollars, and two thirds of a dollar, out of the bills of credit now in the office, belonging to the province; Read, and assented to: "By the lower house of assembly June 22.^d 1768.

L. H. J.
Liber No. 52
June 22

p. 546

Robert Lloyd, Speaker

Sent to the upper house by M.^r Grahame and M.^r Dickinson

The following resolves were unanimously entered into by the house, and ordered to be recorded in the proceedings.

1 Resolved unanimously, That the first adventurers and settlers of this province of Maryland, brought with them and transmitted to their posterity, and all other, his Majesty's subjects since inhabiting in this province, all the liberties, privileges, franchises, and immunities, that at any time have been held, enjoyed, and possessed by the people of Great Britain

2. Resolved unanimously, That it was granted by Magna Charter, and other the good laws and statutes of England, and confirmed by the petition and bill of rights, that the subject shall not be compelled to contribute to any tax, tallage, aid, or other like charge not set by common consent of parliament

3. Resolved unanimously, That, by a royal charter, granted by his Majesty, King Charles the first, in the eighth year of his reign, and in the year of our Lord one thousand six hundred and thirty two, to Cecilius, then Lord Baltimore; it was, for the encouragement for people to transport themselves and families, into this province, among other things covenanted and granted, by his said Majesty for himself, his heirs, and successors, as followeth: And we will also, and of our more special grace, for us, our heirs, and successors, we do strictly enjoin, constitute, ordain, and command, that the said province shall be of our allegiance; and that all and singular the subjects, and liege people of us, our heirs and successors, transported or to be transported, into the said province, and the children of them, and of such as shall descend from them there, already born or hereafter to be born, be, and shall be, denizens, and lieges of us, our heirs and successors, of our Kingdoms of England and Ireland, and be in all things held, treated, reputed, and esteemed, as the liege faithful people of us, our heirs, and successors born within our kingdom of England; and likewise any lands, tenements, revenues, services, and other hereditaments whatsoever within our kingdom of England,

L. H. J. and other our dominions, may inherit or otherwise purchase, receive, take, have, hold, buy, and possess, and them may occupy and enjoy, give, sell alien, and bequeath; as likewise all liberties, franchises, and privileges, of this our kingdom of England, freely, quietly, and peaceably, have and possess, occupy and enjoy, as our liege people born, or to be born within our said kingdom of England, without the let, molestation, vexation, trouble, or grievance of us our heirs, and successors; any statute, act, ordinance, or provision, to the contrary thereof notwithstanding

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p. 547 And further our pleasure is, and by these presents for us, our heirs, and successors we do covenant and grant to and with the said now Lord Baltimore, his heirs and assigns that we, our heirs and successors, shall at no time hereafter, set or make or cause to be set, any imposition, custom, or other taxation, rate, or contribution, whatsoever, in or upon the dwellers and inhabitants of the aforesaid province for their lands, tenements, goods or chattels, within the said province, or in, or upon any goods or merchandizes, within the said province, to be laden or unladen, within any of the ports or harbours of the said province: And our pleasure is, and for us, our heirs, and successors, we charge and command that this our declaration shall be henceforward, from time to time, received and allowed in all our courts, and before all the judges of us, our heirs and successors for a sufficient and lawful discharge, payment, and acquittance; commanding all and singular our officers and ministers of us, our heirs and successors, and enjoining them, upon pain of our high displeasure that they do not presume, at any time, to attempt any thing to the contrary of the premisses, or that they do, in any sort, withstand the same; but that they be at all times, aiding and assisting, as is fitting unto the said now Lord Baltimore, and his heirs, and to the inhabitants and merchants of Maryland aforesaid, their servants, ministers, factors, and assigns, in full use and fruition of the benefit of this our charter.

4. Resolved, That it is the unanimous opinion of this house that the said charter is declaratory of the constitutional rights and privileges of the freemen of this province.

5. Resolved unanimously, That tryals by juries, is the grand bulwark of liberty, the undoubted birth-right of every englishman, and consequently, of every british subject in America; and that the erecting other jurisdictions, for the tryal of matters of fact is unconstitutional, and renders the subject insecure in his liberty and property.

6. Resolved That it is the unanimous opinion of this house, that it cannot with any truth or propriety be said, that the freemen of this province of Maryland are represented in the british parliament

7. Resolved unanimously, That his Majestys liege people of this antient province, have always enjoyed the right of being governed by laws, to which they themselves have consented, in the article of

taxes, and internal polity; and that the same hath never been forfeited, or any other way yielded up, but hath been constantly recognized by the King, and peoples of Great Britain

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June 22

8. Resolved, That it is the unanimous opinion of this house that the representatives of the freemen of this province in their legislative capacity, together with the other part of the legislature, have the sole right to lay taxes and impositions on the inhabitants of this province, or their property and effects; and that the laying, imposing, levying, or collecting any tax on, or from, the inhabitants of Maryland, under colour of any other authority, is unconstitutional, and a direct violation of the rights of the freemen of this province

Mr. Worthington brings in, and delivers to M.^r Speaker, the following report. May 31.st 1768

Maryland ss.

At a committee of both houses of assembly, appointed to inspect the office and proceedings of the late commissioners for paying off the public claims, and emitting bills of credit, established by act of assembly,

[*This report is printed in full in the Upper House of Assembly, pp. 321-323.*]

The report was read the first and second time, and concurred with

p. 549

Resolved that all petitions, upon every new assembly, relating to elections and returns, be presented to the honorable Speaker of this house for the time being, within five days from the first day of the session of such new assembly, inclusive, and not after. And, if any election shall be made by virtue of any writ issued by order of the lower house of assembly, that no petition be received against any such election or return unless such petition be presented to the Speaker as aforesaid within five days from the first day of the session, inclusive, after such writ shall be returned, or within the same time after the actual return of such writ, if the same shall be returned in session time

Resolved, That treating electors is highly injurious, tends to corrupt and debauch the people, and may, if not timely prevented, be destructive of that freedom, intended to be maintained in elections, by our excellent constitution

p. 550

It is therefore unanimously resolved, that on any petition for treating, this house will not take into consideration, or regard the greatness or smallness of any treat, but will, in all cases, in which any person or persons, hereafter to be elected to serve in assembly for any county within this province, at any time after the test or issuing of the writ of election, or after the place of any member becomes vacant hereafter, in the time of this present or of any other assembly, shall hereafter, by himself, or themselves, or by any other ways or means, on his, or their behalf, or at his, or their charge, or with his,

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or their privity or consent, before his, or their election, directly or indirectly give, present, or allow to any person having a voice or vote in such election, any money, meat, drink, entertainment, or provision, or make any present, gift, reward, or entertainment, or any promise, agreement, obligation, or engagement, to give or allow any money, meat, drink, provision, present, reward, or entertainment, whatsoever, in order to be elected, or for being elected, will declare the election of such person void

The question was put whether the following resolve, viz.^t Also resolved, that if any person whatsoever, shall hereafter, after the test or issuing of the writ of election, or after the place of any member becomes vacant, directly or indirectly, on the behalf of, or with the privity or consent of any person, or persons, hereafter to be elected to serve in assembly, give, present or allow, to any person having a voice or vote, any money, meat, drink, entertainment or provision, or shall make any present, gift, reward, or provision, or make any promise, agreement, obligation, or engagement, to give, or allow, any money, meat, drink, provision, present reward, or entertainment whatsoever, in order to procure the election, or for the election of any person, or persons, hereafter to be elected to serve in assembly; such person shall be deemed guilty of bribery, and of a breach of the privileges of this house, and this house will punish the same accordingly; be agreed to? Resolved in the affirmative

For the affirmative

	Ringgold	Grahame	Paca	
Mess. ^{rs}	Chase	Ware	Selbey	
	Johnson	Dickinson	Purnell	
	Parran	Goldsborough	Allen	
	Gantt	M. Tilghman	Cresap	[15]

For the negative

	Eden	Worthington	Steele	
Mess. ^{rs}	Key	Griffith	Tyler	
	W. Thomas	Mackall	Hall	
	Buchanan	Harrison	Wright	
	Gresham	N. Thomas		[14]

Ordered, that the above resolves be standing rules in this house, and that they be printed in the Maryland gazette

Resolved that M.^r speaker, attended by the whole house, do present the address to his excellency

p. 551 Ordered, That his excellency's message of the 20.th, and the answer thereto, be printed in the Maryland gazette

Ordered, That the bill entitled an act for licensing ordinary keepers, hawkers, pedlars, and petty-chapmen, be printed immediately

Ordered that M^r Ringgold, and M^r Paca, do acquaint his excellency that no more business lies before this house

L. H. J.
Liber No. 52
June 22

The governor communicates to M^r Speaker the following message :
Gentlemen of the lower house of assembly,

I am extremely sorry to find, by your address just now presented to me, that what I recommended to you, by his Majesty's express command, hath not had more weight and influence in your house. Had you not instantly, on presenting your address, informed me, by a message, that no more business is before you, I should have been obliged, in obedience to his Majesty's commands, immediately to put an end to this session, in order to prevent any proceedings of your house, in consequence of the sentiments declared in your address.

Hor.^o Sharpe

John Ridout and Walter Dulany Esquires from the upper house, acquaint M^r Speaker, the governor requires the attendance of the lower house, immediately, in the upper house

M^r Speaker left the chair, and (with the other members of the lower house) went to the upper house, and there presented to the governor, the following ingross'd bills Viz.^t

A supplementary act to the act to enable the visitors of Kent county school, for the time being, to lease out part of the land belonging to the said school

An act for turning part of a street called East street in the city of Annapolis, and for confirming the title of Thomas Jennings Esq of the said city, to a lot of ground therein

An act to give Thomas Harrison further time to effect the removal of a nuisance, in Baltimore town, in Baltimore county

An act to empower Mary Philpot, widow and administratrix of Bryan Philpot, late of Baltimore town, in Baltimore county, merchant, deceased, to sell the real estate of her said husband, for the payment of the debts of the said Bryan Philpot

An act for the building of a parish church, and chapel of ease, in Saint John's parish, in Queen Ann's County

An act for the relief of the reverend John Macpherson of Charles county

An act for the relief of certain languishing prisoners in the several jails therein mentioned.

An act for licensing ordinary keepers, hawkers, pedlars, and petty-chapmen

An act for amending and declaring the law in the cases therein mentioned

An act for the relief of the poor within the several counties therein mentioned. And,

L. H. J. An additional supplementary act to the act entitled, an act for the
Liber No. 52 establishment of religious worship within this province, according to
June 22 the church of England, and for the maintenance of ministers

All which (except the last) his excellency passed into laws, and made the following speech Viz.^t

p. 552 Gentlemen,

I have thought fit, with the advice of his lordships council of state, to prorogue this assembly to the first Tuesday in October next; and you are to take notice, that you are prorogued to that day accordingly

So endeth this session of assembly this 22.^d of June in the year of our Lord one thousand seven hundred and sixty eight.

Test. T. Wright cl: lo: ho:

ACTS OF THE ASSEMBLY PASSED IN MAY-JUNE, 1768

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the twenty fourth Day of May in the eighteenth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore and so forth Anno Domini 1768 and ending the twenty second Day of June following.

Liber H. S.
No. 1
1768
May 24
p. 673

The following Laws were enacted and assented to by his Excellency Horatio Sharpe Esquire Governor.

N.º I An Act for the Adjournment and Continuance of Talbot, Baltimore, and Cecil County, Courts

Whereas Several of the Attorneys Practising the Law in the same Courts and Some other Persons having Business in them are Members of the Assembly and Obligated to attend their Duty therein [Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor and the Upper and Lower Houses of Assembly and the Authority of the same That all Causes, Pleas, Process, and Proceedings either Civil or Criminal now depending in, or returnable to the said County Courts of Talbot and Baltimore to be held the first Tuesday of June in this present Year Shall be and are by Virtue of this Act Adjourned and Continued from the said first Tuesday of June until the first Tuesday of August next And Shall be in the same State and Condition as they would be on the said first Tuesday of June And that all Causes, Pleas, Process and Proceedings either Civil or Criminal now depending in or returnable to the said County Court of Cecil to be held the Second Tuesday of June in this present Year shall be and are by Virtue of this Act Adjourned and Continued from the said Second Tuesday of June until the second Tuesday of August next and Shall be in the Same State and Condition as they would be on the said Second Tuesday of June Any Law Usage or Custom to the Contrary notwithstanding

[Talbot,
Baltimore,
and Cecil
County
Courts ad-
journed]

31st May 1768 By the Lower House of Assembly, Read & As- sented to Sign'd p Order T: Wright Cl: lo: ho	On Behalf of the Right Honble the Lord Pro- prietary of this Province I will this be a Law Hor :º Sharpe	31st May 1768 By the Upper House of Assembly, Read and As- sented to Signed by Order UScott Cl: Up: Ho
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The Great Seal
in Wax Append.^t

N.^o 2 An Act to enable Mary Darnall an Infant to enter into and accept
 Liber H. S. of a Marriage Settlement and Agreement

No. 1
 [Private Act]
 p. 674

Whereas Henry Darnall junior and Rachel his Wife and the aforesaid Mary Darnall Daughter of the said Henry Darnall and Rachel his Wife an Infant of the Age of nineteen Years and Robert Darnall Uncle of the said Mary Darnall have by their humble Petition to this General Assembly set forth That an advantageous Offer of Marriage hath been made to the aforesaid Mary Darnall and the Sum of three hundred pounds Sterling a Year is proposed to be settled on the said Mary during her natural Life in Lieu and in Bar of Dower and of the Right she might have to any Part of the Personal Estate of her intended Husband which Settlement the Petitioners approve of and are willing and desirous that the same should be executed.

And whereas the said Petitioners are doubtful whether the said Mary being an Infant within the Age of twenty one Years by her Acceptance of such Settlement can bar herself of her Right of Dower in the real Estate and of such Part of the Personal Estate of her intended Husband as she might be intitled to by Law. By Reason whereof the said intended Marriage is delayed. And have prayed that An Act might be passed to empower the said Mary Darnall by and with the Advice of her said Father Mother and Uncle to assent to the said Marriage Settlement for Securing the said Jointure to the said Mary and in Bar of her Right of Dower in the real Estate and Share of the Personal Estate of her intended Husband which she might be intitled to by Law. In Compliance therefore with the Prayer of the said Petitioners this General Assembly have thought fit to Enact

And be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordship's Governor and the Upper and Lower Houses of Assembly and the Authority of the Same That the said Mary Darnall may by and with the Advice and Consent of her said Father Mother and Uncle enter into and accept of any Marriage Contract Settlement or Agreement whereby and on which there Shall be issuing and payable out of and charged upon Sufficient Lands and Tenements to Answer the same not Less than three hundred Pounds Sterling Yearly to the said Mary Darnall during her Life after the Death of the Person with whom she may intermarry in Lieu and Bar of Dower in her intended Husband's real Estate and in Satisfaction and Bar of any Share of the Personal Estate of her intended Husband which she might be intitled to by Law according to the true Intent and Meaning of such Marriage Contract Settlement or Agreement And that such Marriage Settlement Contract and Agreement as aforesaid shall to all Intents and Purpose bar and preclude the said Mary Darnall to Demand or claim Dower in the real Estate and any Share of the Per-

sonal Estate of her said intended Husband which she might be intitled to by Law if this Act had not been made

Liber H. S.
No. 1

Provided always that this Act nor any thing herein contained shall ever hereafter be construed to prejudice or affect any Marriage Settlement heretofore made or hereafter to be made other than the said recited Settlement but that the same Shall Stand and be in the same Plight and Condition and be of the Same Force and Effect as if this Act had not been made

By the Lower House of Assembly 4 th June 1768 Read and Assented to Sign'd p Order T: Wright Cl. lo: ho:	On Behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Hor:º Sharpe	By the Upper House of Assembly 4 th June 1768 Read and Assented to Signed by Order UScott Cl: Up: ho:
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The great Seal
in Wax Append^d

N.º 3. An Act to remedy the Inconveniencies arising from the Loss of some p. 675
Proceedings in Saint Mary's County Court

Whereas a Fire broke out suddenly in the House of M.^r Owen Allen Deputy Clerk of Saint Mary's County in the Month of March last past and raged so violently that notwithstanding the utmost Endeavours the said House together with several Original Papers in Causes depending in the said Court and also divers Dockets belonging to the Clerk of said Court were consumed [Preamble]

And Whereas there may be an Obstruction to Justice in the said several Causes without the Aid of the Legislature

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Chief Justice of the said County Court the Sheriff of the said County and the several Attorneys Practising in the same shall and they are hereby directed and required to deliver up to M.^r Benjamin Young Clerk of the said County their several and respective Dockets for the several Courts the Dockets of which shall appear to have been burnt and lost the aforesaid Dockets having been made out and delivered by the said Clerk or his sworn Deputy to them respectively for their respective Uses [The Chief Justice &c to deliver to the Clerk, the Dockets made out by him for their use]

And be it Enacted That the said Clerk shall and may in all such Proceedings and Causes whether Criminal or Civil that shall appear from any or either of such Dockets where no Executions have been issued therein And where Execution hath been issued then from such Execution to have been at either of the said Courts finished and brought to final End or other Determination make out and enter up among the Records of the said County a Minute Abstract or Abridgment of such Proceedings so determined in such Manner [Causes brought to a final end, an abstract to be enter'd among the Records, &c]

Liber H. S. and with such Judgment End or Determination as shall from the
No. 1 Major Part of the said Dockets and the Justices Sheriffs and Attorneys Entries thereon and from such Executions as are already issued or such Judgments Ends or other Determinations respectively (always giving the Preference to such Executions already issued in such Points as they shall be entitled to a Preference in) appear to have been the Judgment End or other Determinations of such Cases respectively

[Executions, And be it further Enacted That all and every the Executions and
&c. to be other Judicial Process grounded upon any Judgment or Determina-
entered in tion made or obtained in the said Court and which Execution or
like manner] other Judicial Process has been returnable and returned to the said Court and all and every the Acts or Proceedings of the Justices the Sheriff or the Clerk of the said County by Virtue and in Pursuance of such Executions or other Judicial Process shall be ascertained entered and made up in like manner

[Difficulties And be it further Enacted That in Case of any uncertainty or
arising, the other Difficulty to the said Clerk in making such Abstract Minute
the Justices or Abridgment he shall and is hereby required and directed to apply
assist] to the Justices of the said County at any future sitting in Court for their Assistance and Direction therein and they are hereby Authorized and required to give the same

[Such ab- And be it further Enacted by the Authority aforesaid that such
stract and Abstract Minute or Abridgment so as aforesaid by the said Clerk
Executions entered and all Executions and other Process already issued or to
so entered to be issued and all Acts and Proceedings in Pursuance and by Virtue
be good and thereof shall be and shall be deemed construed and taken to be as
valid] good valid and effectual to all Intents and Purposes whatsoever as if the Judgments Ends or other Determinations of the same respective Executions and other Judicial Process had been regularly entered up or were now actually remaining or filed among the Records and Proceedings of the said County Court in usual fform any Law Usage or Custom to the Contrary in any wise notwithstanding

[Causes not And be it further Enacted by the Authority aforesaid That all
determined, such Causes as were not determined in the said Court shall and
the Justices may be heard and determined and the Justices of the said County
to proceed for the Time being are hereby authorized and impowered to hear
in a sum- adjudge of and determine the same either in a summary way by the
mary way, or best Evidence the Nature of each Case will admit of or by Bill filed
in Equity, and all on the Equity side of the said County Court as to the Plaintiffs in
Entries and such Suits or Actions shall seem meet and for that Purpose the said
Executions County Court is hereby also authorized and impowered as a Court of
thereon Equity to hold plea of such sums so as aforesaid heretofore sued or
be valid] Prosecuted to any Amount not exceeding the Jurisdiction of the Law
p. 676 side thereof and that such Hearing and Determination either in a
summary Manner or in Equity as aforesaid and all Entries and

Records thereof and all Executions and Process thereon shall be as good valid and effectual to all Intents and Purposes whatsoever as if the same had been heard adjudged determined and entered in usual form Any Law Usage or Custom to the contrary notwithstanding

Liber H. S.
No. 1

And be it further Enacted by the Authority aforesaid That the Continuance of all such Causes as were not determined in the said Court at March Court last shall and may by and with the Consent and Direction of the Justices of the said County in Court sitting be entered upon Record from March Court aforesaid as the Case shall happen from Court to Court until March Court now next ensuing for the said County inclusive and no longer except in Cases where Evidence may be wanting beyond Sea at the Discretion of the said Court Any Law Usage or Custom to the contrary notwithstanding

[Causes not determined at March Court last, may with the consent of the Justices be entered and continued from that Time]

Provided always that nothing herein before contained shall extend or be construed to extend to supply or make good any other Defect or Irregularity than what hath necessarily followed from the Accident of the Fire aforesaid

[Proviso]

By the Lower House of Assembly 14. th June 1768 Read and Assented to Sign'd p Order T. Wright Cl: lo: ho:	On Behalf of the right Honble the Lord Proprietary of this Province I will this be a Law Hor:º Sharpe	By the Upper House of Assembly 14. th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N.º 4. An Act for the Preservation of the Breed of Fish

Whereas it is found by Experience that large Quantities of young Fish unfit for use have been for many Years past killed and destroyed by Wares Dams Pots and other Devices formed and erected in the Rivers of Susquehannah and Patuxent for the taking of Fish whereby great Quantities of Fish which were formerly to be found and taken in said Rivers and other Rivers in this Province are much diminished to the great Damage and Injury of the Public for Remedy whereof

[Preamble]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That if any Person or Persons whatsoever from and after the End of this Session of Assembly shall build set up repair or maintain or shall be aiding assisting or abetting in building setting up repairing or maintaining any such Wares Fishing Dams Potts or any other Devices whatsoever for the taking of Fish within the Rivers aforesaid by which the Fish may be obstructed from going

[Persons not to build or repair wears, &c. for destroying Fish]

Liber H. S. up or coming down the said Rivers or shall take or destroy any
 No. 1 kind of Fish whatsoever in any such Ware Fishing Dam Pott or
 other Device aforesaid every such Person or Persons so offending
 contrary to the true Intent and meaning of this Act being legally convicted
 thereof by the Oath of one or more credible Witness or
 [Penalty Witnesses or by his or their Confession shall forfeit and pay the
 how to be sum of Twenty Pounds Current Money for every such Offence one
 recovered Moiety of which Sum so forfeited to be paid to the Informer or
 and applied] Prosecutor and the other Moiety thereof to be paid to the Sheriff
 of the County where the Recovery shall be had to be by him paid
 and accounted for to the Justices of the several County Courts re-
 p. 677 spectively and by them applied towards clearing the Nagivation of
 the said Rivers to be Recovered by Action of Debt Bill Plaint or
 Information with full Costs of Suit in any County Court of this
 Province where such Offender shall be apprehended or reside

[Wears, &c. And be it Enacted by the Authority Advice and Consent afore-
 may be said That it shall and may be lawful to and for any Person or Persons
 destroyed] whatsoever to break throw down remove and destroy all or any such
 Ware or Wares Fishing Dam Pott or other Device built or set up
 or to be built or set up in the aforesaid Rivers for catching of Fish as
 aforesaid

[Persons And be it further Enacted by the Authority Advice and Consent
 sued, may aforesaid That if any Person or Persons shall be sued or impleaded
 plead the for breaking throwing down removing or destroying any such Ware
 general or Wares Fishing Dam Pott or other Device built or set up contrary
 issue] to the true Intent and Meaning of this Act it shall and may be lawful
 for such Person or Persons to plead the general Issue and give this
 Act and the special matter in Evidence and if upon Trial the Plaintiff
 or Plaintiffs shall be Nonsuit or shall discontinue his or their Suits
 then and in such Case the Defendant or Defendants shall recover
 double Costs

[Seins may And be it further Enacted That no Person or Persons whatsoever
 be drawn in shall from and after the twentieth Day of February next until the
 Patuxent, twentieth Day of May ensuing and so Yearly and every Year during
 from the 20th the Times aforesaid hale draw or lay across any Sein or Seins thereby
 of February, to the 20th the Times aforesaid hale draw or lay across any Sein or Seins thereby
 of May, to catch or take any kind of ffish in the said River of Patuxent from
 annually, 4 Mount Calvert to the Head thereof except on Tuesday, Wednesday,
 days in each Thursday and Friday in each Week during the Times aforesaid and
 week] the Continuance of this Act And that if any Person or Persons shall
 hale draw or lay across any Sein or Seins on the other Day or Days
 except as before excepted during said Time and be thereof legally
 convicted by the Oath of one or more credible Witness or Witnesses
 or by his or their Confession shall forfeit and pay the sum of ten
 Pounds Current Money to be recovered and applied as aforesaid

[Proviso] Provided always that nothing in this Act contained shall prevent
 any Person or Persons whatever from erecting such Wares as are

commonly set in the Tides of the Rivers anywhere in the River Susquehannah where the Tide Ebbs and flows nor in any Part of the River Patuxent below the place commonly called Mount Pleasant

Liber H. S.
No. 1

This Act to continue for and during the Term of three Years and to the End of the next Session of Assembly which shall happen after the End of the said three Years

[Continuance]

By the Lower House of Assembly 15 th June 1768 Read and Assented to Sign'd by Order T. Wright Cl. Lo: Ho:	On Behalf of the right Honble the Lord Proprietary of this Province I Will this be a Law Hor. ^o Sharpe	By the Upper House of Assembly 15 th June 1768 Read and Assented to Signed by Order UScott Cl: Up: Ho:
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the Great Seal
in Wax Appendant

N^o 5. An Act to Prevent any Obstruction of the Navigation in the River Potowmack

Whereas it is represented to this General Assembly that the Water Carriage is greatly obstructed by erecting Fish Dams above the Falls in the River Potowmack and also in Monococy River

[Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That all fish Dams or other Devices for catching of Fish already made or hereafter to be made and all other Erections hereafter to be made in the River Potowmack between the Great Falls and Wills's Creek or in the River Monococy below the Dividing thereof into the two Pipe Creeks shall be and are hereby deemed and declared Nusances and may by any Person or Persons be pulled down prostrated and abated as such And that no Person or Persons whatsoever shall hereafter put place or erect any such Fish Dam or place or make any Heap of Stones or other Erection whatsoever within the said Parts of either of the said Rivers under the Penalty of fifteen Pounds Current Money for every such Offence to be Recovered in any Court of Record within this Province with Costs by Action of Debt Bill of Indictment or Information wherein but one Impar lance shall be allowed one half to the Informer or him or them that will Sue or Prosecute to Effect for the same and the other half thereof to be paid to the Sheriff of Frederick County to be by him accounted for and paid to the Justices of said County and by them applied towards clearing or improving the Navigation of the said Rivers

[Fish-dams,
&c. erected
between the
Great-
Falls and
Will's Creek,
&c. deem'd
nuisances]

p. 678

[No more to
be erected
under a
Penalty]

And be it further Enacted That if any Person or Persons shall obstruct or hinder any other Person or Persons from pulling down prostrating or abating any such Nuisance as aforesaid or shall assault or wound any Person for pulling down prostrating or abating any

[Persons
obstructing
the pulling
down such
Nuisance, to
forfeit 20 l.
&c.]

Liber H. S. such Nuisance as aforesaid or for attempting so to do every such
No. 1 Person for every such Offence besides being subject to the Action
of the injured Party for Damages shall forfeit the sum of twenty
Pounds Current Money to be recovered with Costs and applied as
aforesaid

[On suit brought for said Penalties, &c. Bail to be given] And be it further Enacted That in any Action or Suit for Recovery
of any of the said Penalties and also in any Action for an Assault
Beating or Wounding for pulling down prostrating or abating such
Nuisance as aforesaid or for Attempting so to do upon an Affidavit
or other Proof satisfactory to the Court where such Suit or Action
is depending of there being Cause for bringing the same the De-
fendant shall and may be compelled to give good and sufficient
Special Bail

[Deem'd a Public Act] And be it also Enacted That this Act shall be deemed a publick
Act and the same shall and may be given in Evidence in Justification
of or for any Matter or Thing done by Virtue thereof on the General
Issue without specially pleading the same

[Proviso] Provided always that this Act or any Thing therein contained
shall not hinder or be construed to hinder or prevent the erecting or
causing to be erected any Bridge or Bridges over the said River
Monocosity with convenient Arches for admitting of Boats and other
Vessels of Burthen passing through the same with the least Ob-
struction that may be

By the Lower House of Assembly 15 th June, 1768 Read and Assented to Signed by Order T. Wright Cl: Lo: Ho:	On Behalf of the Right Honble the Lord Pro- prietary of this Province I will this be a Law Horo Sharpe	By the Upper House of Assembly 15 th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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The Great Seal
in Wax Appendant

N:º 6 An Act appointing new Visitors for the Publick School in Frederick
County and for other Purposes therein mentioned

[Preamble] Whereas the Gentlemen named as Visitors for Frederick County
School by the Act Entitled An Act for Erecting a Publick School in
Frederick County live so remote and distant from each other that it
has been found inconvenient for them to Attend and execute the
Duties of their Office

And whereas also by the abovementioned Act it is directed that
there shall be one Acre of Land purchased in Frederick Town in
Order to the building and erecting a County School which it is
apprehended will be attended with too much Expence

Be it therefore Enacted by the Right Honourable the Lord Pro-
prietary by and with the Advice and Consent of his Lordships
Governor and the Upper and Lower Houses of Assembly and the

Authority of the same That in Order to the erecting and building a House and other Conveniencies for a County School there shall be one half Acre of Land and no more purchased in Frederick Town in Frederick County by the Persons hereafter named who shall be Visitors of the said School Viz.^t Jonathan Wilson, Thomas Bowles, George Murdock, Major Joseph Wood, Thomas Price, Casper Shoaff and Charles Beatty which said Persons so nominated Visitors for Frederick County School shall qualify in the same manner and be subject to the same Penalties and be invested with the same Rights Priviledges Powers and Authorities as the Visitors of the other County Schools within this Province and shall have succession in like manner

Liber H. S.
No. 1
[Half an
Acre of Land
to be pur-
chased by the
Visitors, for
erecting a
country
school]

And be it further Enacted That of all the Duties Taxes and Impositions hereafter to be collected and which since the twenty ninth Day of September in the Year of Our Lord seventeen hundred and sixty three have been collected for the use of the County Schools within this Province there shall be paid by the Treasurers to the Visitors aforesaid or their Order an equal Dividend by them to be applied and expended to and for the purchasing of one half Acre of Land as aforesaid and building an House and other Conveniencies as aforesaid and to and for the Use and Benefit of the said School in the like manner as the Dividends due to the other County Schools are by Law directed to be applied

[Duties col-
lected, &c.
a Dividend
to be paid to
the Visitors,
&c.]

By the Lower House of
Assembly 15th June 1768
Read and Assented to
Sign'd by Order
T. Wright Cl: Lo: Ho:

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Hor.^o Sharpe

By the Upper House of
Assembly 18th June 1768
Read and Assented to
Signed by Order
UScott Cl: Up: Ho:

the Great Seal
in Wax Appendant

N:º 7 An Act for granting to the Nanticoke Indians a Compensation for the Lands therein Mentioned

Whereas the greatest Part of the Tribe of the Nanticoke Indians have some years ago left and deserted the Lands in this Province Appropriated by former Acts of Assembly for their Use so long as they should Occupy the same and the few that Remain have by their Petition to this General Assembly prayed that they might have liberty to dispose of their Right to the said Lands or that some Compensation should be made them for quitting Claim thereto as they are desirous of totally leaving this Province and going to live with their Brethren who have incorporated themselves with the Six Nations and that they have given a Power of Attorney to a certain Amos Ogden to dispose of the said Lands for them and to execute a Release and Acquittance therefor which power appears to be Con-

[Preamble]

Liber H. S. firmed and Approved by Sir William Johnson his Majesty's Super-
No. 1 intendent of Indian Affairs for the Northern Department

And Whereas Robert Darnall and Sarah his Wife Henry Steele and Anne his Wife and John Henry and Dorothy his Wife (which said Sarah, Anne and Dorothy are the Coheireses of Collonel John Rider deceased) have by their Petition set forth to this General Assembly That one Tract of Land called The Reserve Originally on the fifteenth Day of May one thousand six hundred and sixty five granted to a certain John Anderton for eight hundred Acres another Tract called Handsell on the thirteenth Day of July in the same Year
p. 680 granted to a certain Thomas Taylor for seven hundred Acres and one other Tract called Bartholomews Close on the tenth Day of November one thousand six hundred and ninety five granted to a certain Thomas Hicks for one hundred and sixty four Acres lie within the Boundaries of a large Tract of Land laid out for the said Indians by Virtue of an Act of Assembly made in the Year of Our Lord one thousand seven hundred and four entituled an Act for Ascertaining the Bounds of a certain Tract of Land to the use of the Nanticoke Indians so long as they shall Occupy and live on the same and that the said three small Tracts of Land became by Purchase and Devise the Right of the said Collonel John Rider and the Reversion thereof is now in the said Petitioners and prayed as the said Lands had been heretofore taken from their Ancestors for the Publick Account that the Publick Money might be now Applied to Purchase a Release of the Indian's Claim to the same for their Use which this General Assembly have thought reasonable to grant.

And Whereas the said Amos Ogden hath in behalf of the said Indians Offered to take the sum of six hundred and sixty six Dollars and two thirds of a Dollar for a release of Right and full Acquittal of Claim of the said Nanticoke Indians as well to the aforesaid three Tracts of Land as to three thousand Acres lying on Broad Creek in Somerset County by an Act made in the Year of Our Lord seventeen hundred and eleven entituled An Act to impower Commissioners to Appoint and Cause to be laid out three thousand Acres of Land on Broad Creek in Somerset County for the use of the Nanticoke Indians so long as they shall Occupy the same which said three thousand Acres having been paid for by the Publick when the said Indians should Cease to Occupy is by the said last recited Act to be disposed of as the General Assembly shall direct and Appoint.

[A committee of the Assembly impowered to pay the Indian Agent for their Lands, &c.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Committee appointed this present Session of Assembly to Inspect the Accounts and Proceedings of the Commissioners appointed by Virtue of the Act for the Payment of the Publick Claims for emitting Bills of Credit and for other Pur-

poses therein mentioned are hereby directed and required to Pay to the said Amos Ogden for the use of the said Nanticoke Indians the said Six hundred and sixty six Dollars and two thirds of a Dollar out of the Bills of Credit now in the Office belonging to the Country in full Satisfaction for the said Tribe of Nanticoke Indians their Claim to the said Lands and to take his Receipt for the same which Payment shall to all Intents and Purposes Vest the said Robert Darnall and Sarah his Wife, Henry Steele and Anne his Wife and John Henry and Dorothy his Wife with the same Right of entry in and Claim to the said three Tracts of Land called the Reserve, Hand-sell and Bartholomews Close, as if the said Indians had Totally deserted and Quitted Claim to the same any Thing in any other Act of Assembly to the Contrary notwithstanding

Liber H. S.
No. 1

And be it further Enacted That Messures William Allen, Levin Gale and Henry Steele are hereby Appointed Commissioners and they or any two of them are impowered to make Sale of the aforesaid three thousand Acres of Land lying on Broad Creek as aforesaid by way of Vendue to the highest bidder (giving at least two Months Notice of such Sale in the Maryland and Pennsylvania Gazettes) the whole together or divided into Parcels as shall best Suit the Purchasers and make a Conveyance or Conveyances thereof the said Sale to be made at twelve Months Credit if required by any of the Purchasers they paying Interest from the Time of the Sale and giving Bond or Bonds with Sureties to be Approved by the said Commissioners to the Treasurer of the Eastern Shore for the Time being for the use of this Province which Bond or Bonds or Money Arising on the Sale (if any of the Purchasers shou'd Choose to pay the Money) the said Commissioners shall return and pay to the said Treasurer and take his receipt for the same and shall also return the said Receipt to the next General Assembly after such Sale as well as an Account of their Proceedings and Expences therein which Expences together with a Commission of Five per Cent on the Money for which the said Lands shall be sold shall be paid to the said Commissioners out of the Bills of Credit in the Office belonging to the Country and they the said Commissioners shall then be fully discharged of their said Trust and shall not be any further Answerable therefor.

[Commissioners appointed to make Public sale thereof, &c.]

[The Proceeds to be paid to the Treasurer of the Eastern Shore, &c.]
p. 681

[An account to be return'd to the General Assembly, &c.]

By the Lower House of Assembly 15 th June 1768 Read and Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I will this be a Law Hor. ^o Sharpe	By the Upper House of Assembly 18 th June 1768 Read and Assented to Signed by Order UScott Cl: Up: Ho:
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the Great Seal
in Wax Appendant

N:º 8 A Supplementary Act to the Act entituled an Act for erecting a new
 Liber H. S. Parish in Kent County called Chester Parish and for Building a
 No. 1 Parish Church and enlarging a Chapel of Ease within the said
 Parish

[Preamble] Whereas the Inhabitants of Chester Town in Kent County and
 other Inhabitants of Chester Parish in the said County have set forth
 that in order to have a new and Commodious Chapel in the Town
 aforesaid Sufficient to hold all the People that live Convenient to
 Attend Divine Worship therein many well disposed People have
 Voluntarily Subscribed large Sums of Money to the Amount of five
 hundred Pounds or Upwards to be paid towards Building the said
 Chapel in the said Town which with the fifty thousand Pounds of
 Tobacco appropriated by the Act to which this is a supplement to
 make an Addition to the House of Worship formerly erected in the
 said Town the Bricks and Materials of the old Church and the Money
 that might Arise by the Sale to the highest Bidders of such Pews as
 should be made in the Second Story exclusive of a sufficient common
 Gallery and such as may remain Undisposed off in the Lower Story
 to such of the Freeholders of the said Parish as shall not have Pews
 or Seats in the Lower Part the Proprietors of the Old Church and
 all other Persons who are Owners of Lotts and reside in Town hav-
 ing Seats in the lower Part of the said new Church (those that have
 no Seats in the old paying the Costs of erecting said Pews in the New)
 a good new Brick Chapel might be Built Sixty feet long forty feet
 wide and two Story high with a Stone Foundation and well finished
 off and that the Ground in the said Town already appropriated for
 the Church is full small for a Burying Ground and that the said
 Chapel would stand much better on a Part of the Publick Ground
 laid out in the said Town for the Court House and that no Incon-
 venience would Arise to the Publick from Placing the said Church
 thereon with liberty of Inclosing a small Yard round the same And
 have therefore prayed that an Act might Pass for the Purposes afore-
 said and that some Gentlemen residing in the said Town who could
 see the Work properly and faithfully executed might be empowered
 by the said Act to carry it into Execution and to dispose of the
 Pews when finished agreeable to the directions of the said Act

p. 682 Be it therefore Enacted by the Right Honourable the Lord Pro-
 [Part of the Public Ground on Chester-Town ap- propriated for building a Chapel, &c. but no Corps to be interr'd therein under a Penalty] prietary by and with the Advice and Consent of his Lordships Gov-
 ernor and the Upper and Lower Houses of Assembly and the
 Authority of the same That Part of the Publick Ground in Chester
 Town aforesaid at the Corner of high street and Cross Street of the
 extent of ninety feet on high street and one hundred and twenty feet
 on Cross Street shall be and is hereby Appropriated for the building
 and Placing the said intended new Chapel and to Inclose a Yard
 round the same and shall be and remain to the use of a Church or
 Chapel in the said Town for ever but that no Person whatsoever

shall be understood therefrom to have any Right to break the said Ground to bury the Corps of any one Deceased and if any Person or Persons shall hereafter Presume or Attempt to Bury any Corps or dead Body within any Part of the said Ground so as aforesaid Appropriated to Build the said Chapel on he she or they so Offending shall forfeit and pay the sum of Ten Pounds Current Money the one half thereof to be paid to the Vestry of the said Parish to be by them Applied towards the Repairs of the said Chapel the other half to whoever shall Sue for the same together with full Costs of Suit to be recovered by Action of Debt in the County Court

Liber H. S.
No. 1

And be it further Enacted That Messures James Anderson William Ringgold, William Bordley, Emory Sudler and James M.^cClean now dwelling and residing in the said Chester Town shall be and are hereby Appointed Trustees and they or any three of them are hereby impowered to Contract with Proper Workmen, Purchase Materials, and carry on and finish the Building and Compleating a good Brick Chapel sixty feet long forty feet wide and two Story's high with a Stone foundation on the Ground aforesaid and the Sheriff of the County aforesaid is hereby directed and required to pay the fifty thousand Pounds of Tobacco by the above recited Act Appropriated to make an addition to the House of Worship in the said Town to the Order or Orders of the said Trustees or any two of them any Thing in the said recited Act to the Contrary Notwithstanding And the said Trustees or any three of them are hereby impowered to receive the said fifty thousand Pounds of Tobacco of the said Sheriff or draw an Order or Orders for the same and also to receive the Monies so said to be Subscribed or that shall hereafter be Subscribed towards building the said Chapel or to Sue for and recover such Monies in Case the Subscribers should neglect or refuse to pay the sum subscribed by them respectively and also to Number and dispose of the Pews or Seats that shall be made in the Second Story of the said Chapel exclusive of a sufficient common Gallery and also exclusive of such as may be wanted in the second Story to Accomodate the Proprietors of the Old Church and the Owners of Lotts and Subscribers to the said new Chapel as herein after directed at Publick sale to the highest bidder who shall be a Freeholder of fifty Acres of Land at least within the said Parish on which some Person or Persons are dwelling and pay Taxes within the Parish and which Freeholders shall not have a Pew or Seat in the Lower part of the said Chapel and receive the Money arising by the Sale of the said Pews all which fifty thousand Pounds of Tobacco, Subscription Money, Money Arising from the Sale of the said Pews and the Bricks and other Materials of the old Church they shall Apply towards the Building and finishing the said Intended new Chapel

[Trustees appointed and impowered to contract with workmen, and purchase materials for building the said chapel, and to receive the Tobacco and Monies appropriated to that use]

And be it further Enacted That the said Trustees shall also Cause Pews or Seats to be Erected in the lower Part of the said new Chapel sufficient in number and Room or as near as may be for the Pro-

[Pews to be erected, and to be disposed of]

Liber H. S.
No. 1
p. 683

[The Proprietor of each Pew to have it entered on the Register-Book and such as were not Proprietors in the old Church, to pay the expense of erecting their Pew &c.]

[If any over-plus Pews, to be sold by the Trustees]

prietors of the Old Church to have as good Seats in the new as they had in the Old and for those Owners of a Lott or Lotts in the said Town and Dwellers therein and Others who have Subscribed the sum of Ten Pounds or upwards towards the Building the said Chapel to have Seats or Pews therein also of the same Dimensions and such Others who have subscribed less than Ten Pounds to have half Pews so as two of such Subscribers may be put into one draft and one of them draw and that when the Pews are erected they shall be all Numbered except the one Mister Thomas Marsh may Choose he having Piously subscribed seventy Pounds Current Money on Condition of having his Choice of a Pew in the said Chapel, and if not enough in the lower Part to be made up in the second Story and the several Numbers wrote on so many pieces of Paper and put into a Box and the names of the several Persons so intitled to Pews or Seats whether by Subscription or otherwise also Wrote on so many pieces of Paper and put also into another Box and some Indifferent Person to draw out all the Names and in the Order as the Names Rise for the Persons whose names come up or some Person by their Direction to draw out of the Box of Numbers and the number each Person Draws shall entitle him or her their Heirs and Assigns to the Pew or Seat of that Number and it shall be entered on the Register Book of the said Chester Parish Accordingly for which entry each Owner of a Pew shall pay the Register one shilling Current Money, every of the said Persons Owner of a Lott or Lotts in the said Town and dwelling therein (and not Proprietors of the Old Church) and every Subscriber as aforesaid towards Building the said new Church, first paying before such Entry shall be made to the said Trustees to be Applied also towards the Building the said Church the bare Cost of erecting the Pew by him or her so drawn over and above the sum of Money by such Person respectively Subscribed which if any Person so drawing a Pew shall refuse or neglect to do then the said Trustees shall and are hereby impowered to sell the Pew or Pews so refused or neglected to be paid for at Publick Sale to the highest bidder which Sale shall Cost the Buyer his Heirs and Assigns with a good Title to the said Pew or Pews so sold and the same shall be entered by the Register of the Parish as aforesaid and the Money to be by the said Trustees applied as aforesaid And if the Lower Floor of the said Chapel should be found Spacious enough for the Chancel Pulpit and more Pews than sufficient for the Proprietors of the old Church Owners of Lotts Resident in the Town and Subscribers to the new Building as aforesaid the said Trustees shall and are hereby enabled and required to sell and dispose of such Overplus Pews to the Freeholders of the said Parish in the same manner and to the same Use as they are herein before directed to sell the Pews in the second Story of the said Chapel which Sale as well as the Sale aforesaid of the Pews in the said second Story shall be entered on the said Parish Register Book by the Parish Register

and the Buyers of all such Pews shall be thereby Vested with a good Title in the said Pews to them their Heirs and Assigns for Ever for which entry of each Pew the said Clerk shall be Paid one shilling Current Money as aforesaid

Liber H. S.
No. 1

And be it further Enacted That if it shall happen that any of the said Trustees should die before the said Trust is fully and Completely executed it shall and may be Lawful for the Inhabitants of the said Chester Town and Owners of a Lott or Lotts therein or the Major Part of them to elect and Choose some other discreet Person resident in the said Town as Trustee in place of the one that is dead and so as often as any one may die to keep up the number of the Trustees until the said Trust is fully executed and those who shall be so Chosen shall have the same Powers and Authorities for the Purposes aforesaid as if Particularly named by this Act

[In case of
death, other
Trustees to
be chosen]

p. 684

And Whereas the Vestry of the said Chester Parish being im- powered by the said recited Act to sell and dispose of the Pews in the Parish Church when finished to the Freeholders of the said Parish and being also very desirous to give general Satisfaction therein and Apprehending there will not be Pews enough in the said Parish Church to Accomodate all who Claim a Preference therein under their several Constructions of the said Act the said Vestry have Prayed that their Duty in the said Business may be more Partic- ularly explained and delineated

Be it therefore Enacted by the Authority aforesaid That when the Pews in the said Parish Church are finished the Vestry of the said Parish shall Cause their Register to set up an Advertisement at the Church Door and other Publick places in the said Parish giving Notice for all the ffreeholders of the said Parish having a Freehold Estate of Fifty Acres of Land at the least within the said Parish and on which some Person or Persons dwell and Pay Taxes within the said Parish to Appear themselves or by some other Person for them at the said Parish Church at a Day and hour to be in the said Advertisement mentioned not less than twenty Days after the setting up the said Notices and Signify their desire to Purchase a seat or Pew in the said Church or such Part of a Pew as the Vestry may find can be Allotted to the Share of such ffreeholder and his Family and the said Vestry shall Number the said Pews or Seats and take the Names of the Persons so Applying and then Cause the said Pews or Seats to be drawn by such of the Freeholders as aforesaid by ballot in the same Manner as by this Act is directed for drawing the Pews in the Lower Part of the Chapel in Chester Town and the number each Person shall so draw shall entitle him his Heirs and Assigns to the Pew or Seat of that Number and it shall be entered on the Register Book Accordingly the Owner first Paying the Cost of such Pew to the Vestry and the said Owner shall also Pay the Register one shilling Current Money for such entry

[When the
pews are fin-
ished, Public
Notice to be
given to the
Freeholders,
and the Pews
to be drawn
by Ballot,
&c.]

Liber H. S. Provided Nevertheless That if the Purchase Money is not Paid
 No. 1
 [Proviso] down immediately on Request to the said Vestry they are hereby
 impowered and required if there should not be Pews or Seats enough
 for all the Freeholders of the said Parish applying as aforesaid to
 Permit such as may have drawn Blanks to draw again in manner
 aforesaid for such Pew or Pews so refused or neglected to be paid
 for and if all the Freeholders as aforesaid have Pews then to sell and
 dispose of such Pews as are not paid for or may be left at the next
 Vestry-Day to the highest bidder and the Money overpaying for the
 Erecting the Pews to be Applied as the said Vestry shall think
 Proper to the use of the Church

By the Lower House of Assembly 16: th June 1768 Read and Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Horo Sharpe	By the Upper House of Assembly 18: th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:^o 9 An Act to impower the Justices of Somerset and Worcester Counties
 p. 685 to levy on the taxable Inhabitants of Stepney Parish in Somerset
 and Worcester Counties the Quantity of one hundred and sixty
 thousand Pounds of Tobacco for the Uses therein mentioned

[Preamble] Whereas the Vestry men Church Wardens and sundry of the In-
 habitants of Stepney Parish lying in Somerset and Worcester Coun-
 ties have by their humble Petition to this General Assembly set forth
 That their Chapel of Ease known by the name of Godderd's Chapel
 is not only old much out of Repair and unfit to attend divine Service
 therein but inconveniently situated for the Parishioners and that their
 Chapel of Ease known by the Name of Spring-Hill Chapel is in a
 ruinous Condition and unfit to be repaired and that it was necessary
 to Purchase for the use of the said Parish a Lott of Ground at or
 near the Head of Wicomoco River in the said Parish and to erect and
 build a Chapel thereon and also to Purchase a Lott of Ground in the
 said Parish near unto the Place where Spring Hill Chapel now
 stands and to erect a Chapel thereon and have humbly prayed that
 an Act may pass that one hundred thousand Pounds of Tobacco may
 be levied upon the taxable Persons of the said Parish by two equal
 Assessments for the Purpose of building the Chapel of Ease at the
 Head of Wicomoco River and the Quantity of sixty thousand
 Pounds of Tobacco for the building the Chapel of Ease near the
 Place where Spring Hill Chapel now stands by equal Assessments
 in the two Years subsequent to the Assessment of the said one
 hundred thousand Pounds of Tobacco

[The Vestry-
men and
church-
wardens im-
powered to
purchase 2
Acres of
Land on
Wicomoco
River, and
agree with
proper Per-
sons to build
a Chapel of
Ease
thereon]

Be it therefore Enacted by the Right Honourable the Lord Pro-
 prietary by and with the Advice and Consent of his Lordships

Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Vestry men and Church Wardens of Stepney Parish aforesaid which lies in Somerset and Worcester Counties aforesaid for the Time being or the Major Part of them be and are hereby authorized impowered and required to Purchase in fee in the name of the Vestrymen and Church Wardens of the said Parish for the Time being two Acres of Land lying in Somerset County in the Parish aforesaid on the South side of Wicomoco River and above the Branch whereon the Mill of William Venables is built and to treat and agree with such Person or Persons as they or the Major Part of them shall think proper to employ to build a Chapel of Ease thereon for the Use of the Inhabitants of the said Parish which said Land when so Purchased and the said Chapel when so built shall be and is hereby declared to be constituted and deemed the Land and Chapel of Ease of the said Parish and the said Chapel for ever hereafter shall be supported and repaired at the Charge of the said Parish

Liber H. S.
No. 1

And be it further Enacted by and with the Advice and Consent aforesaid that the Vestrymen and Church Wardens of Stepney Parish aforesaid for the Time being or the Major Part of them be and are hereby authorized impowered and required to Purchase in fee in the Name of the Vestry and Church Wardens of the said Parish for the Time being two Acres of Land lying in Somerset County in the Parish aforesaid near Spring Hill and to treat and agree with such Person or Persons as they or the Major Part of them shall think Proper to employ to build a Chapel of Ease thereon for the use of the Inhabitants of the said Parish which said Land when so Purchased and the said Chapel when so built shall be and is hereby declared to be constituted and deemed the Land and Chapel of Ease of the said Parish and the said Chapel for ever hereafter shall be supported and repaired at the Expence of the said Parish

[Also to purchase 2 acres of Land, near Spring Hill, and to build a Chapel of Ease thereon]

And be it further Enacted by the Authority Advice and Consent aforesaid That for the building of the said Chapel of Ease on the South side of Wicomoco River the Justices of Somerset and Worcester County Courts for the Time being shall and they are hereby authorized and impowered to Assess and levy on the Taxable Inhabitants of the said Parish the Quantity of one hundred thousand Pounds of Tobacco by two equal Assessments in the Years of our Lord seventeen hundred and sixty eight and seventeen hundred and sixty nine together with the Sheriff's Salary of five per Cent for collecting the same And for the building of the said Chapel of Ease near Spring Hill the Quantity of sixty thousand Pounds of Tobacco by two equal Assessments in the Years seventeen hundred and seventy and seventeen hundred and seventy one together with the Sheriff's Salary of five per Cent for collecting the same which said Assessments shall respectively be made by the Justices aforesaid in Proportion to the Taxable Inhabitants of the said Parish of Step-

p. 686
[100,000 lb. of Tobacco to be assessed in 1768 and 1769, for building Godderd's Chapel; and 60,000 lb. Tobacco in 1770 & 1771, for building Spring-Hill Chapel; to be paid to the Vestrymen and Church Wardens]

Liber H. S. ney residing in their several and respective Counties and shall be
 No. 1 Collected by the Sheriff's of Somerset and Worcester Counties from
 the several Taxable Persons of the said Parish who shall reside
 within their Counties And the said Quantities of Tobacco when so
 as aforesaid collected shall be paid by such Sheriffs respectively to
 such Vestry and Church Wardens aforesaid who are hereby author-
 ized to receive and apply the same to the Uses aforesaid.

[How the Provided always and be it further Enacted That it shall and may be
 Tobacco may Lawful for the several and respective Inhabitants of the Parish afore-
 be dis- said to Pay and discharge the said several Quantities of Tobacco so to
 charged] be levied and raised for the uses aforesaid in Money in the same man-
 ner as they now are enabled to pay and discharge the Publick or
 County Levies Every Clause Matter or Thing herein to the Contrary
 Notwithstanding

By the Lower House of Assembly 16: th June 1768 Read and Assented to Sign'd p Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Hor ^o Sharpe	By the Upper House of Assembly 18: th June 1768 Read and Assented to Signed by Order UScott Cl: Up: Ho:
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the Great Seal
in Wax Appendant

N:^o 10 An Act for the recovery of certain Amercements and also upon
 Defaults on Execution

[Sherriffs, Be it Enacted by the Right Honourable the Lord Proprietary by
 &c. being and with the Advice and Consent of his Lordships Governor and
 called upon the Upper and Lower Houses of Assembly and the Authority of the
 by the Court, same that in Case any Sheriff or Coroners shall be called upon by
 to bring in the Order of the Justices of the Provincial or of any County Court to
 Defendants, bring before them any Defendant or Defendants before Arrested
 before ar- by such Sheriff or Coroner according to the said Sheriff's or Coron-
 rested, and er's Return of or upon any Writ being either mesne Process or of
 shall omit Execution and shall fail neglect or Omit to bring into Court such
 or fail so to Defendant or Defendants and therefore shall be Amerced by the
 do, the Jus- Justices aforesaid or have his Default entered then and in either
 tices may such Case it shall and may be Lawful for the Justices aforesaid in
 order Judg- the Name of the Plaintiff or Plaintiffs and to and for his her or their
 ment to be Use on Motion to Order and direct Judgment to be entered up against
 entered for such Sheriff or Coroner for the sum in which the said Sheriff or
 the Plaintiff, Coroner shall be Amerced or for the sum and Costs recovered against
 against such the Person or Persons taken on Execution which respective Judg-
 Sheriff, &c.] ments shall have the fforce and Effect to all Intents and Purposes
 of any Judgment rendered on the Verdict of a Jury

p. 687

[Proviso] Provided Always that before the said Judgments shall become
 Absolute for the said sum in which the aforesaid Sheriff or Coroner

shall be Amerced or for the sum and Costs recovered against the Person or Persons taken on Execution against the said Sheriff or Coroner the Plaintiff or Plaintiffs his her or their Executors or Administrators shall make Appear to the Satisfaction of the Justices aforesaid a Demand by him her or them or his her or their Attorney at Law made of or from the Sheriff or Coroner aforesaid of the Sum in which such Sheriff or Coroner shall be Amerced or of the sum and Costs recovered against the Person or Persons taken on Execution as aforesaid and also the refusal or neglect of the Sheriff or Coroner to pay the same respective sums according to such Demand and also that the Plaintiff or Plaintiffs his her or their Executors or Administrators or his her or their Attorney at Law in the Case of such Amercement as aforesaid upon the Return of any Writ being mesne Process offered or tendered to the said Sheriff or Coroner an Assignment of the Cause of Action when the same Cause of Action shall arise on Contract whereupon the Original Writ issued.

Liber H. S.
No. 1

And be it Enacted by the Authority aforesaid that it shall and may be Lawful for the Sheriff or Coroner who shall be Amerced as aforesaid and unto whom any such Cause of Action arising on Contract shall be Assigned as aforesaid and who shall have paid or Satisfied the same to the Original Plaintiff or Plaintiffs his her or their Executors or Administrators or Attorney at Law to bring Suit thereon for the Recovery of the same under and by Virtue of such Assignment and that the Defendant or Defendants his her or their Heirs Executors or Administrators shall have the same full Advantage and Benefit of Defence on such suit to all Intents and Purposes as he she or they might have or be entitled unto upon a Suit Prosecuted in the Name of the Original Plaintiff or Plaintiffs

[Sheriff, &c.
amerced, who
may have
satisfied the
original
Plaintiff, &c.
may bring
suit, &c.]

By the Lower House of Assembly 17: th June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Hor ^o Sharpe	By the Upper House of Assembly 17: th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:^o 11: An Act for the Relief of Joseph Scott of Worcester County

Whereas Joseph Scott of Worcester County hath by his Petition set forth That a Negro Man Slave belonging to the said Joseph Scott was committed to the Custody of the Sheriff of Worcester County on Suspicion of his being the Murderer of a certain Henry Selby and that the said Slave before he could receive his Tryal for that Fact died in the Goal of said County wherefore the said Peti-

[Private
Act]

Liber H. S. tioner prays to be allowed from the Publick for the Value of the
No. 1 aforesaid Slave

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices of Worcester County Court shall at the next Court to be held for that County after the end of this Present Session of Assembly or at the Court succeeding the said next Court in Court Judicially Sitting settle and determine what Value the aforesaid Slave of the aforesaid Joseph was of at the
p. 688 Time of his Commitment aforesaid in Current Money of this Province and shall Cause an Entry or Minute of such Value to be made in the Proceedings of their said Court

And be it further Enacted by the Authority Advice and Consent aforesaid That the Treasurer of the Eastern Shore of this Province for the Time being upon the Producing a Certificate from the Clerk of the said County under his Hand and the County Seal (which Certificate the same Clerk is hereby required to make and give) of the Value of the said Slave settled and determined as aforesaid shall pay to the said Joseph Scott his Executors Administrators or Assigns what the said Slave shall have been valued at as aforesaid out of the Publick Stock of this Province in his Hands without Fee or Reward

By the Lower House of Assembly 17. th June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Hor ^o Sharpe	By the Upper House of Assembly 18. th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:º 12 An Act reviving and continuing an Act entitled An Act to establish a Market at the Market House in Chester Town in Kent County and for the Regulation of the said Market

[The Act of
1762, ch. 32,
continued 3
years, &c.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled An Act to establish a Market at the Market House in Chester Town in Kent County and for the Regulation of the said Market made at a Session of Assembly begun and held at the City of Annapolis the seventeenth Day of March one thousand seven hundred and sixty two Be and is hereby revived and continued in full Force from and after the End of this Present Session of Assembly for and during the Term of

three Years and to the End of the next Session of Assembly which shall happen after the End of the said three Years

Liber H. S.
No. 1

By the Lower House of Assembly 17 th June 1768. Read & Assented to Sign'd by Order T. Wright Cl. Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Horo Sharpe	By the Upper House of Assembly 18 th June 1768 Read and Assented to Sign'd by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:^o 13: An Act to Prohibit raising of Swine and Geese in George Town in Kent County and in Snow Hill Town in Worcester County

Whereas it is represented to this General Assembly That divers Persons living in George Town in Kent County and in Snow Hill in Worcester County do raise and keep great Numbers of Swine and Geese within the same Towns to the great Prejudice of the Inhabitants thereof [Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That no Person or Persons whatsoever living or that shall hereafter live in either of the said Towns shall after the End of this Present Session of Assembly under any pretence whatsoever keep or support within either of the said Towns any Swine or Geese belonging to themselves or to any other Person whatsoever unless such Swine or Geese be kept within such Person or Persons Inclosure so keeping or supporting such Swine or Geese

p. 689
[No person
to keep
Swine or
Geese, in
George-
Town, or
Snow-Hill,
in Kent and
Worcester
Counties, un-
less within
their In-
closures]
[Swine or
Geese suf-
fered to go
at large, may
be shot, &c]

And be it further Enacted That in Case any Person or Persons whatsoever living or that shall live in either of the said Towns shall after the End of this present Session of Assembly suffer any Swine or Geese belonging to themselves or under their Care belonging to any other Person go at large within either of the said Towns it shall and may be lawful for any Person to shoot or otherwise destroy such Swine or Geese so found at large

And be it likewise Enacted that if any Person shall be sued or impleaded for shooting or otherwise destroying such Swine or Geese as aforesaid, the Defendant may plead the general Issue and give this Act and the Special Matter in Evidence

[Persons
sued, may
Plead the
General
Issue]

17 th June 1768 By the Lower House of Assembly, Read & As- sented to Sign'd by Order T. Wright Cl. Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I will this be a Law Horo Sharpe	18 th June 1768 By the Upper House of Assembly, Read and As- sented to Signed by Order UScott Cl. Up. Ho.
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The Great Seal
in Wax Appendant

N.^o 14: An Act for erecting a Court House and Publick Prison for Baltimore
 Liber H. S. County in the Town of Baltimore and for making Sale of the
 No. 1 old Court House and Prison

[Preamble] Whereas many of the Inhabitants of Baltimore County have petitioned this General Assembly setting forth that the Present Court House for the said County situate in Joppa is considerably too small for transacting therein the Publick Business That the same is greatly out of Repair and the Offices thereof confined and the whole Building slight and insecure for keeping the Publick Records of the said County And that the County Goal from it's original ill Construction has been a continual Expence to the County and defective and insufficient to prevent frequent Escapes of Criminals and other Persons and that from the small number of Houses in the said Town of Joppa the People who Attend the Courts cannot be accomodated Whereby early Adjournments and late Meetings of the Courts are unavoidable and the Publick Business greatly retarded and Praying that a Law may pass for disposing of the Ground and Materials of the present Court House and Prison of the said County and for the Purchasing Ground and building a Court House and Prison in the Town of Baltimore in the County aforesaid And as the Allegations in the said Petition appear to this General Assembly to be true it is prayed that it may be Enacted

[Commissioners im-
 powered to
 buy 1½ Acres
 of Ground
 for building
 a new Court-
 House, &c.
 in Baltimore-
 Town]

And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Honourable John Beale Bordley Esquire Messeiurs John Ridgely, John Moale Robert Adair Robert Alexander William Smith and Andrew Buchanan or the Major part of them be and are hereby appointed Commissioners to execute and Perform the several Trusts and Powers reposed in and required of them by this Act and be and are hereby authorized and impowered to apportion and lay off so much of a Street of the said Town of Baltimore called and known by the Name of Calvert Street at the upper part thereof next Jones's Falls as they shall think proper and to agree with the Owner or Owners of the Land adjoining the Street of the said Town of Baltimore called and known by the name of Calvert Street for the absolute Purchase of any Part thereof they or the Major part of them may judge proper not exceeding in the whole the Quantity of one Acre and an half Acre and in Case the Owner or Owners of such Land shall refuse to make Sale of so much of the said Land as the said Commissioners or the Major Part of them shall think necessary for the Purposes hereinafter by this Act directed at a reasonable Price or be under any Disability of making thereof then the said Commissioners or the Major Part of them shall be and are by Virtue of this Act authorized impowered and required to issue their Warrant to the Sheriff of the said County requiring and

p. 690
 [In case the
 Owner, &c.
 refuses sell-
 ing said
 Ground rea-
 sonably, a
 Jury to be
 summon'd,
 &c. to fix its
 value;]

commanding him to impanel and return a Jury of the most substantial freeholders not less than twelve Inhabitants within the said County to be and appear before the said Commissioners at the said Town of Baltimore upon a certain Day to be by them limited and appointed which Jury upon their Oath to be by the said Commissioners or the Major Part of them to the said Jurors administred shall enquire who is or are the Owner or Owners of the said Land what is the Value thereof and what Damages such Owner or Owners will sustain And the sum of Money the said Jurors shall assess to the Owner or Owners of such Land for such Land and Damages shall be paid by the said Commissioners and the Payment for the Land as aforesaid shall invest the Justices of Baltimore County and their Successors with an Estate in fee simple for the Use of the County aforesaid for ever And the said Commissioners or the major Part of them are hereby authorized and empowered to cause the said Part of the said Street and the said Land adjoining to be laid out by the Surveyor of the said County with good and sufficient Boundaries and a Certificate thereof to be returned and recorded in the County Records and to treat and agree with Undertakers or Workmen to build and finish a Court House and Publick Prison with a good Yard and other Conveniences thereto on such Land as aforesaid

Liber H. S.
No. 1

[which is to
be paid by
the commis-
sioners.]

[who have
Power to
treat with
Undertakers,
&c. to build,
&c.]

And Whereas for defraying Part of the Expence and Charge of Purchasing the said Land and building the Court House and Prison thereon sundry Inhabitants of the said County have subscribed considerable sums of Money

[Commis-
sioners im-
powered to
receive all
Sums sub-
scribed for
the above
use]

Be it Enacted That the said Commissioners or the Major Part of them shall and they are hereby empowered to receive and collect all Monies by the said Persons Subscribed And such Subscribers are hereby directed to pay their several Subscriptions to the said Commissioners And if any Person shall neglect or refuse to pay such his Subscription Money the said Commissioners or the Major Part of them may and they are hereby authorized to recover and receive the same

And be it further Enacted That the Justices of Baltimore County Court shall and they are hereby authorized directed and empowered to assess and levy on the Taxable Inhabitants of the said County at the Time of laying the Publick Levy a Quantity of Tobacco not exceeding three hundred thousand Pounds of Tobacco by two equal Assessments in the Years seventeen hundred and sixty Eight and seventeen hundred and sixty nine together with the Sheriffs Sallary of five per Cent for Collection which said Assessments so as aforesaid to be made and levied shall be collected by the Sheriff of the said County from the several Taxable Persons who shall reside within the said County in the same manner as other publick and County Levies are by Law collected And the said Tobacco when so as aforesaid collected shall be paid by such Sheriff to the said Com-

[Justices of
Baltimore
County
Court en-
abled to levy
300,000 lb of
Tobacco in
years 1768 &
1769]
p. 691

Liber H. S. missioners or the major Part of them or their Order or Orders who
No. 1 are hereby authorized and required to receive and apply the same
together with the Monies arising on the said Subscription to the
Uses and Purposes following that is to say to pay and discharge
the Expence of the Purchase of the said Land so as aforesaid to be
allotted and chosen and for Building a Court House and Prison for
the said County on the said Land and other Charges incident thereto
as by this Act is before directed

[How the Tobacco may be discharged] Provided always and be it Enacted that it shall and may be lawful
for the several and respective Taxable Inhabitants of the said
County to pay and discharge the said Quantity of Tobacco so to be
levied and raised for the uses aforesaid in Money in the same
manner as they are now enabled to pay and discharge the Publick
or County Levy Any Clause Matter or Thing herein to the contrary
notwithstanding

[Baltimore County Court to be held in the new Court House when finished] And be it further Enacted that after the finishing of the said Court
House to be built as aforesaid Baltimore County Court shall be
held in such new Court House and such new Court House and Prison
shall be used taken held and deemed to be the proper Court House
and Prison of Baltimore County

[Til then the different Courts to be held in the Market-House, &c.] And be it further Enacted that from hence forth until the said
new Court House shall be finished the Court of Assize nisi prius
Oyer and Terminer and Goal Delivery for Baltimore County and
the County Court and Elections of the said County shall be held in
the Market House in the said Town of Baltimore

[Court Records to be removed before the 3^d of August, to Baltimore-Town, and taken Care of as the Justices shall direct] And be it further Enacted That the Clerk of Baltimore County
Court for the Time being shall at some convenient Time before the
third Day of August next remove or Cause to be removed from
the old Court House of the said County all the Books Rolls Papers
and other Records to the said County Court belonging to Baltimore
Town aforesaid and there safely deposite keep and preserve the same
in some convenient Apartment in the said Market House or such
other proper and convenient House in the said Town as shall be
appointed by the Justices of the said County Court And the Justices
of the said Court shall direct and cause a List of all the said Records
and Books to be signed by the Clerk of the said County and entered
upon Record amongst their Proceedings

[The Sherriff of Baltimore may remove the Prisoners from Joppa Jail, &c.] And be it further Enacted That the Sheriff of Baltimore County
for the Time being may at any Time at his pleasure remove all or
any of the Prisoners from the said old Goal at Joppa to any Goal
he may think fit in Baltimore Town aforesaid and there until the

[The Justices authorised to make Sale of the Court-House and Prison, to the highest Bidder] said new Prison shall be finished keep and detain them according to
Law and at his own Peril But that the Removal of them as aforesaid
shall not be deemed any Escape in Law whereon to charge the said
Sheriff

And be it further Enacted That the Justices of the said County

Court or the Major Part of them are hereby authorized impowered and required after the said Records shall be be Removed as aforesaid to make Sale by way of Publick Vendure of the said old Court House and Prison with the Land thereto belonging to the best and highest Bidder and to Convey the same in fee simple to the Purchaser his Heirs and Assigns for ever and the Money or Tobacco that shall arise by the Sale thereof as well as any Surplus that may remain of the said Subscription Money and Tobacco to be levied as aforesaid shall be applied to the use of the County towards defraying the Charge thereof Any Law Statute Usage or Custom to the contrary notwithstanding.

Liber H. S.
No. 1

p. 692
[Proceeds,
and other
Surplus, to
be applied to
the use of
the county.]

By the Lower House of
Assembly 18:th June 1768
Read & Assented to
Sign'd by Order
T. Wright Cl: Lo: Ho

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Hor^o Sharpe

By the Upper House of
Assembly 18:th June 1768
Read and Assented to
Signed by Order
UScott Cl. Up. Ho.

the Great Seal
in Wax Appendant

N:^o 15: An Act to prevent the Exportation of Flour Staves and Shingles not merchantable from the Town of Baltimore in Baltimore County and to regulate the Weight of Hay and Measure of Grain Salt Flax Seed and Firewood within the said Town

Whereas it is represented to this General Assembly That Discoveries have lately been made of certain Deceits practised by Millers and others in the Manufacture of Flour large Quantities whereof are brought to and sold in the said Town of Baltimore and from thence exported and that frequent Disputes and false weight and short measure happen as well in the Weight of Hay Measure of Grain Salt and Flax Seed as in the cording and measuring of Wood and Advantages are taken of the Ignorant and Unwary by the deceitful Practices of Skippers Masters of Vessels and Boats the like whereof also happens in the selling of Staves and Shingles as well concerning the Quantity as Quality and it being apprehended that if a Person or Persons were appointed under Proper Powers Checks and Restrictions and the Buyers and Sellers Inhabitants in and about the said Town were obliged to employ him or them to cord all Wood garble or cull and count all Staves and Shingles and to inspect or determine and by gradated Brand Marks distinguish the Qualities of all Flour by the said Inhabitants or others respectively to be brought in and about the said Town and to measure by proper Measures settled and adjusted by the County Standard all Salt Grain and Flax Seed that should be brought by Land or Water to and Sold in the said Town would be of great Service not only in supporting and assisting the Commerce of the said Town of Baltimore but also in thwarting and discountenancing dishonourable

[Preamble]

Liber H. S. unmanly and deceitful dispositions always injurious to a Community:
 No. 1 For the Encouragement therefore of the said Town and others well
 disposed to forward the Trade and Advancement thereof

[The Commissioners of Baltimore Town to meet between the 1st and 10th of July next, and every year, to nominate an Inspector of flour, and also Persons of Repute, to cull Staves and Shingles, and regulate the weight of Hay, measure of Grain, &c.]
 p. 693

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Commissioners of Baltimore Town or the Major Part of them for the Time being shall assemble and meet between the first and the tenth Day of July next and between the said first and the tenth Day of July Yearly and every Year during the Continuance of this Act and then nominate and appoint a Person of good Repute and Skill in the Goodness and Quality of Flour to be Inspector of Flour within the said Town for the Year ensuing and also shall nominate and appoint any Number of Persons not exceeding three of good Repute and Skill in culling and garbling of Staves and Shingles to be Cullers Garblers and Counters of all Staves and Shingles brought to and sold within the said Town for the Year next ensuing and also shall nominate and appoint any Number of Persons not exceeding three of good Repute and Skill in measuring Grain Salt and Flax Seed to be Measurers of all Grain Salt and Flax Seed brought by Land or Water to and sold in the said Town for the Year next ensuing and also shall nominate and appoint any Number of Persons not exceeding five of good Repute and Skill to be Weighers of all Hay and Wood Cordors of all Fire wood brought to and sold within the said Town

[Oath to be taken by every Commissioner before he shall nominate Officers.]

And be it further Enacted that every Commissioner of the said Town who shall vote for any of the said Officers shall take the following Oath before he shall be entitled to Vote for the Nomination and Appointment of all or any of the Officers aforementioned to wit I A. B. do Swear that I will faithfully honestly and impartially nominate and appoint such Person or Persons to be Inspector of Flour Measurers of Grain Salt and Flax Seed Cullers or Garblers and Counters of Staves Heading and Shingles Weighers of Hay and Wood Cordors within the Town of Baltimore as I think in my Judgment and Conscience is or are fit and capable to execute the said Offices respectively

[In case of Death, Refusal, or Inability, etc., commissioners to nominate others, &c.]

And be it further Enacted That in Case of the Death of any or either of the said Officers so nominated and Appointed or the Refusal or Inability of them or either of them to act the said Commissioners or the major Part of them shall as soon as conveniently may be thereafter meet together and nominate and appoint one other such Person as aforesaid in the stead and place of any Person so dying refusing or becoming incapable to Act for the Residue of the Year then to come And if the said Commissioners shall neglect and omit to nominate and appoint all or any of the said respective Officers then and in such Case the Governor or

Commander in Chief of this Province for the Time being may by Warrant under his Hand constitute and appoint all or any of the said Officers who shall have the like Power and Authority as if they or either of them had been by the said Commissioners regularly nominated and appointed

Liber H. S.
No. 1

And be it further Enacted That all Wheat Flour bolted and brought to the said Town for Exportation from and after the first Day of September next shall by the Bolters thereof be made merchantable and of due Fineness without any mixture of coarser or other Flour and well packed in good strong well seasoned Casks with the Tare thereof marked thereon

[All Flour for Exportation, after the 1st of Sept. to be merchantable, &c.]

And be it further Enacted That if any Person or Persons shall put a false or wrong Tare on any Cask of Flour more than two Pounds Weight to the Disadvantage of the Purchaser such Person or Persons shall forfeit and pay for every Cask wrongfully or falsely tared as aforesaid the sum of ten shillings Current Money and the Inspector upon Suspicion or upon the Request of the Buyer shall uncase or unpack any such Cask of Flour in Order to Try the tare thereof and if the said Cask or Casks be found to be tared more than two Pounds less than the true Weight the Bolter thereof shall pay the Charge and Expence of unpacking or uncasing and repacking or recasing over and above the sum of ten shillings Current Money for each Cask as aforesaid but if the Weight of the same is not more than two Pounds less than the Tare thereon marked then the Officer or Purchaser at whose Request such Tryal be made shall pay the Costs of unpacking or uncasing and repacking or recasing.

[Persons putting false Tare on any cask of Flour, more than 2 lb to the Disadvantage of the Purchaser, to forfeit 10 s.]

And be it further Enacted That all and every Cask of Flour brought to the said Town to be from thence laden and shipped for Exportation shall be submitted to the View and Examination of the Inspector aforesaid so as aforesaid nominated and appointed who shall search and try the same by boring the Head and piercing it through with an Instrument to be contrived for that Purpose in Order to Prove whether it be honestly and well packed as also to enable him to Judge of it's Goodness and shall afterwards plug up the Hole And if the said Officer shall Judge the same to be merchantable according to the Directions of this present Act he shall be and every such Cask of Flour on the Quarter with the Word Baltimore with a publick Brand Mark to be Provided for that Purpose and shall also brand and mark the Degree of Fineness which he shall on Inspection determine the said Flour to be of which Degree shall be distinguished as follows to wit Superfine, Fine, Midlings, Ship-stuff; for which Trouble he the said Inspector shall have and receive of the Owner of such Flour the sum of one penny and a half of a Penny for each Cask and no more

[All Flour brought for Exportation, to be inspected and branded and the Quality distinguished]
p. 694

And be it further Enacted That the said Inspector of Flour shall not brand any Flour which shall prove on Examination thereof to be

[Inspector's Fee 1½ d. per Cask]
[Unmerchantable Flour shall not be branded; but mark'd with a broad Arrow on the Bilge, &c.]

Liber H. S. unmerchutable according to the true intent and meaning of this Act
 No. 1 but shall cause the same to be marked on the Bilge with a Broad
 Arrow or secure it for a further Examination if required which
 Examination the Owner shall procure to be made within the
 Space of forty eight Hours and the said Inspector shall and may
 demand and receive from the Owner or Owners thereof the same
 Rates and Prices as if the same had been branded.

[Persons aggrieved may have Flour reviewed by 3 indifferent Persons being Judges, &c] And be it further Enacted That when any Person or Persons shall think him her or themselves aggrieved through the Judgment or want of Skill of the said Inspector in rejecting the said Flour as unmerchutable it shall and may be lawful for him her or them to apply to a Justice of the Peace who shall at the Charge of the Complainant issue his Warrant directed to three indifferent Persons well skilled in the said Manufacture of Flour to review and examine the same which said three Persons so as aforesaid appointed shall take the same Oath or Affirmation if a Quaker as by this Act is hereinafter directed to be taken by the said Inspector of Flour and shall carefully view and examine the same and if they or any two of them shall pass and declare the same to be merchutable then and in such Case the said Officer shall raze out the Broad Arrow and put such brand on the said Flour as they or any two of them shall adjudge and determine and repay to the said Complainant the said Cost but if on such Review the Judgment of the said Officer is confirmed then and in such Case the said Owner of such Flour shall pay the Cost of such Review

[Reviewers Fee 2 d. each per Barrel.] And be it further Enacted That the said three Persons and each of them for their Trouble shall and may demand and receive the sum of two pence Current Money for each Barrel by them reviewed

[Flour marked with the Broad Arrow, not to be exported; nor any out of Patapsco River not branded, on Penalty of 50 s. per Barrel.] And be it further Enacted That it shall not be lawful for any Person or Persons whatsoever to export ship or lade on board of any Ship or Vessel for Exportation out of this Province any of the Casks or Barrels of the said Flour so marked with a Broad Arrow as aforesaid or to export ship or lade on Board of any Ship or Vessel for Exportation any of the Casks or Barrels of the said Flour not examined and branded as aforesaid from out of Patapsco River on Pain of Forfeiture of fifty shillings Current Money for each and every Barrel so exported or laden on Board of any Ship or other Vessel for Exportation

p. 695
 [Inspector's Oath.] And be it further Enacted that the said Inspector of Flour shall on his Appointment and before his Executing the said Office make Oath or Affirmation if a Quaker before a Justice of the Peace That without Fear, Favour, Affection, Malice Partiality or Respect of Persons he will diligently and carefully view examine and inspect all Flour brought to the said Town of Baltimore and which he shall be called upon to view examine and inspect to the best of his Skill and Knowledge and that no Flour shall be passed or branded by

him without his viewing and examining the same and that he will not brand or cause to be branded any Cask or Casks of Flour that does not appear to the best of his Skill and Knowledge to be in all respects sufficiently clean sweet and merchantable and that he will pass and brand all such Cask or Casks of Flour as shall appear to him sufficiently clean sweet and merchantable according to the Degree thereof to the best of his Skill and Knowledge and according to the directions of this Act and that he will not wittingly or willingly charge ask take receive exact or Demand any other or larger Fees or Rates for doing his Duty in his Office as Inspector of Flour than is mentioned and directed by this Act

Liber H. S.
No. 1

And be it further Enacted That the said Inspector of Flour is hereby strictly charged and required not to purchase directly or indirectly any Flour by him condemned as aforesaid or any Flour whatsoever other than for his own Family Use under the Penalty of forty shillings Current Money for each Barrel

[Inspectors not to purchase any Flour, but for Family Use, on Penalty]

And be it further Enacted That if any Person or Persons shall alter the Mark stamped on any Barrel of Flour by the said Inspector or shall mark or brand any Barrel of Flour which hath not been inspected with any mark or brand similar to or in Imitation of the Inspector's said Mark or Brand or after the said Inspector shall have passed any Barrel of Flour as merchantable shall pack into the Cask which contains the same any other Flour or after any Barrel of Flour shall be branded with a Broad Arrow shall unpack and repack the same into other Casks or Packages for Exportation out of this Province such Person or Persons shall forfeit and pay the sum of forty shillings Current Money for every Barrel. And as the Subjecting of all Grain Salt and Flax Seed to the Measurement of an Officer acting under Oath will prevent the Disputes and Impositions complained of

[Persons altering the Inspectors Mark, or Brand, &c. to pay 40 s. for each Barrel.]

[Grain, Salt, or Flax-Seed, to be measured by the Officer appointed, &c]

Be it further Enacted that from and after the first Day of September next all Grain of any Kind Salt or Flax Seed which shall be brought by Land or Water to and Offered for Sale in the said Town shall be measured by the Officer so as aforesaid to be appointed with proper Measures to be tried and Stamped by the County Standard and Provided for that Purpose if he shall be thereto required at the Choice and Election of either the Purchaser or Seller of such Grain Salt or Flax Seed for which Trouble he the said Officer shall and may demand have and receive of the Purchaser or Seller of the said Grain Salt or Flax Seed who shall require the same the sum of one shilling Current Money for every one hundred Bushels of Grain Salt or Flax seed and no more and so pro rato.

[and to be paid 1 s. for each 100 Bushels, and pro rato.]

And be it further Enacted That the said Measures of Grain Salt and Flax Seed and Hay Weighers and each of them so as aforesaid to be appointed shall and they and each of them are hereby required on his or their Appointment and before his or their executing, the

[Oath to be taken by Measurers of Grain, and Weighers of Hay.]

Liber H. S. said Office to make Oath or Affirmation if a Quaker before a Justice
 No. 1 of the Peace that they and each of them when required will well
 and truly according to the best of his or their Skill and Knowledge
 measure all Grain Salt and Flax seed and Weigh all Hay without any
 p. 696 Fear Favour Affection Malice or Partiality whatever to the Buyer or
 Seller and that they and each of them will not wittingly or willingly
 charge ask take receive exact or demand any other or larger Fees or
 Rates for doing his or their Duty in his or their Office than is men-
 tioned and directed by this Act

[From the 1st of Sep- And Whereas the preventing Frauds and Abuses in culling and
 tember, all counting Staves Heading and Shingles large Quantities of which
 Staves, are exported will tend to advance the Credit of the same at foreign
 Heading, Markets and promote the Trade and Commerce of the said Town of
 and Shin- Baltimore
 gles, to be
 examined,
 Counted,
 &c.]

Be it therefore Enacted that from and after the first Day of Sep-
 tember next all Staves Heading and Shingles brought to and Offered
 for Sale within the said North West Branch of Patapsco shall be
 submitted to the Examination of the Officer so as aforesaid to be ap-
 pointed for that Purpose and if the said Officer shall find the same
 sound and fit for Exportation he shall count cull and garble the
 same in a just and impartial Manner between the Buyer and Seller
 for which Trouble he the said Officer shall receive and have as
 follows to wit for every customary thousand of Pipe Staves two
 shillings Current Money for every customary thousand of Hogshead
 Staves or Hogshead Heading one shilling and six pence Current
 Money and for every customary thousand of Barrel Staves one
 shilling Current Money and for every thousand of Shingles six
 pence Current Money the one half thereof to be paid by the Buyer
 the other half by the Seller.

[Officers fees per Thousand and by whom paid]
 [In case of Dispute, 3 Persons, to be chosen, and Lumber to be viewed and examined by them, on Oath, and their Determination to be final.]
 Provided always and be it further enacted That where at any
 Time hereafter any Disputes shall arise between the Officer and the
 Owner or Possessor of any the Staves Heading or Shingles herein
 before mentioned concerning the same upon application made by
 the Owner or possessor thereof to any one Magistrate of Baltimore
 County he shall issue his Warrant to three indifferent judicious Per-
 sons of Skill and Integrity directing them to view and examine the
 said Staves Heading or Shingles which said three Persons so as afore-
 said appointed shall take the same Oath or Affirmation if a Quaker
 as by this Act is herein after directed to be taken by the said In-
 spector or Culler Garbler and Counter of Staves Heading and
 Shingles and shall carefully view inspect examine cull garble and
 count the same and if they or any two of them on such Review
 shall find pass and declare the same to be sound merchantable and fit
 for Exportation then the same Staves Heading or Shingles shall be
 passed and allowed and the Officer shall pay the Cost of the said
 Review but if on such Review the Judgment of the said Officer is

confirmed then the said Owner or Possessor of such Staves Heading or Shingles shall pay the Cost of such Review for which Review each of the said Reviewers shall have and receive the sum of eight pence Current Money for every Thousand of the said Staves Heading or Shingles

Liber H. S.
No. 1

[Their fee
by whom
paid]

And be it further Enacted That it shall not be lawful for any Person or Persons whatsoever to export the said Staves Heading or Shingles so adjudged and determined unsound or not fit for Exportation out of this Province or any Staves Heading or Shingles not counted culled and garbled as aforesaid from any Landing on the North Side of Patapsco River or out of the North West Branch of the said River of Patapsco on Pain of Forfeiture of ten shillings Current Money for each and every Thousand so Shipped and exported.

[Lumber determined unsound, not to be exported, nor from any Landing on the North-Side of Patapsco, uninspected, under a Penalty]

Provided always and be it enacted that nothing herein contained shall debar any Cooper or Carpenter from Purchasing a sufficient Quantity of Staves Heading or Shingles to make up into Casks or be used in Building in the Way of his or their Business so always that he shall not buy any of the Cullings which he may have before adjudged to be unmerchantable

[Coopers and Carpenters, not debarr'd from buying Lumber, under a Restriction]

And be it further Enacted That the said Inspector of Staves and Lumber shall and he is hereby required on his Appointment and before his executing the said Office to make Oath or Affirmation if a Quaker before a Justice of the Peace That he will without Fear Affection Malice Partiality or Respect of Persons diligently and carefully view examine inspect cull garble and count all Staves Heading and Shingles brought to and offered for Sale within the North West Branch of Patapsco River and which he shall be called upon to view examine inspect cull garble and count to the best of his Skill and Knowledge and according to the Directions of this Act and that he will not wittingly or willingly charge ask take receive exact or demand any other or larger Fees or Rates for doing his Duty in his said Office of Inspector or Culler Garbler and Counter of Staves Heading and Shingles than is mentioned and directed by this Act

p. 697

[Oath to be taken by an Inspector of Staves &c.]

And Whereas it is represented That Advantages are taken by the Sellers of Wood in short measuring and cording the same to the great Prejudice of the Inhabitants of the said Town

[After the 1st Day of August All Fire Wood to be corded; for which 4 d. per cord to be paid]

Be it therefore Enacted That from and after the first Day of August next all Fire Wood brought to and offered for Sale in the said Town whether by Land or Water shall be set up corded and measured by some Wood Corder for that Purpose as aforesaid appointed and that each and every cord of Wood shall be eight Feet in Length four Feet in Breadth four Feet in Height and well stowed and packed and that the said Wood Corder for his Trouble in cording and packing the same shall have and receive the sum of four Pence

Liber H. S. Current Money for each and every Cord the one half thereof to be
No. 1 paid by the Seller and the other half by the Person Purchasing the
same

[Purchasers of Wood, neglecting to have it corded, to forfeit 5 s. per cord.] And be it further Enacted That if any Person or Persons shall Purchase and buy any Fire-Wood brought to the said Town and shall neglect or refuse to have the same corded and measured by some Wood-Corder appointed as aforesaid he she or they shall forfeit and pay the sum of five shillings Current Money for each and every Cord so Purchased and bought and which he she or they shall refuse or neglect to have corded as aforesaid or shall refuse or omit to request one or other of the said Corders to cord pursuant to this Act.

[Corders of Wood, to make Oath before they execute their Office.] And be it further Enacted that the said Wood-Corder and each of them so as aforesaid to be appointed shall and they and each of them are hereby required on his or their Appointment and before his or their executing the said Office to make Oath or Affirmation if a Quaker before a Justice of the Peace "That he will when required in a just and impartial manner well and truly set up pack cord and measure all Fire-Wood brought for Sale to the Town of Baltimore according to the best of his Skill and Knowledge and the Directions of this Act and that he will not wittingly or willingly charge ask take receive exact or demand any other or larger Fees or Rates for doing his Duty in his said Office of Wood-Corder than is mentioned and directed by this Act." A minute of the Choice of which said several Officers of Inspector of Flour Measures of Grain Salt and Flax Seed Cullers or Garblers and Counters of Staves Heading and Shingles Weighers of Hay and Wood Corders and their having taken the said Oaths shall be entered among the Proceedings of the said Commissioners from Time to Time as often as taken

[A Minute to be entered by the commissioners, of the Choice of Officers]

[From and after the 1st of September all Hay to be Weighed, and the Officer appointed to receive 2 s. per Ton and pro rato] p. 698 And be it further Enacted That from and after the first Day of September next all Hay of what Kind soever which shall be brought by Land or Water to and offered for Sale in the said Town shall be weighed by the Officer so as aforesaid appointed with Proper Scales and Weights or Engines to be provided for that Purpose if he shall be thereto required a the Choice and Election of either the Purchaser or Seller of such Hay for which Trouble he the said Hay Weigher shall have and receive of the Purchaser or Seller of the said Hay who shall require the same to be weighed the sum of two shillings Current Money for every Ton or twenty gross hundred Weight of Hay and no more and so pro rato.

[Officers appointed, on failure of Duty, to forfeit 10 s. for every neglect.] And be it further Enacted That the said Inspector of Flour Measures of Grain Salt and Flax Seed Cullers or Garblers and Counters of Staves Heading and Shingles and Hay Weighers shall inspect all Flour measure all Grain Salt and Flax Seed cull and count all Staves Heading and Shingles and Weigh all Hay as they and each of them shall be reasonably requested from Time to Time under the Penalty of ten shillings Current Money for every neglect or refusal

And be it further Enacted that the said Wood Corders shall cord all such Wood as they shall be requested from Time to Time to cord under the Penalty of two shillings and six pence Current Money for every Neglect or Refusal to Cord such Wood as aforesaid

Liber H. S.
No. 1
[Wood-
Corders to
forfeit 2 s. 6
for every
Neglect of
Duty]
[Penalties
how recover-
ed and
applied]

And be it further Enacted That all and every the Penalties and Forfeitures in and by this Act set and appointed shall be recovered before a single Magistrate as in Case of small Debts in the Name of the Commissioners of the said Town and be by them laid out and expended in mending the publick Wharfs and Streets in the said Town

And be it further Enacted that the said Commissioners or the major Part of them shall be and are hereby impowered at any Time to displace and remove any of the said Officers from their respective Offices if the said Commissioners or the major Part of them shall see Cause and shall and may nominate and appoint another fit Person to such Office during the Residue of the Year who shall have Power to execute the same Office according to the Directions of this Act on his taking the said Oath of Office

[Commis-
sioners may
displace any
of the
Officers and
appoint
others]

Provided always and be it enacted That before any of the said Officers shall enter on the Execution of their respective Offices they shall take the several Oaths appointed by Law to be taken to the Government and make repeat and subscribe the Oath of Abjuration and the Test before some Justice of the Peace. This Act to continue three Years and unto the End of the next Session of Assembly which shall happen after the End of the said three Years

[Officers to
take the
Oaths to the
Government,
&c.]

By the Lower House of
Assembly 18th June 1768
Read & Assented to
Sign'd by Order
T. Wright Cl: Lo: Ho:

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I Will this be a Law
H^o Sharpe

By the Upper House of
Assembly 18th June 1768
Read and Assented to
Signed by Order
U^scott Cl. Up. Ho.

[Continu-
ance]

the Great Seal
in Wax Appendant

N:º 16 An Act for the Adjournment and Continuance of Frederick County Court

Whereas several of the Attorneys practising the Law and some other persons having Business in the said Court are Members of the Assembly and obliged to attend their Duty therein

[Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same That all Causes Pleas Process and Proceedings either Civil or Criminal now depending in or returnable to the said County Court of Frederick to be held on the third Tuesday of June in this present Year shall be and are by Virtue of this Act adjourned and continued from the said third Tuesday of June until the third Tues-

[Frederick
County
Court
adjourned]

Liber H. S. day of August next and shall be in the same State and Condition as
 No. 1 they would be on the said third Tuesday of June any Law Usage or
 Custom to the Contrary notwithstanding

By the Lower House of Assembly 18: th June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Horo Sharpe	By the Upper House of Assembly 18: th June 1768. Read and Assented to Signed by Order UScott Cl: Up. Ho.
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the Great Seal
in Wax Appendant

N:º 17: An Act confirming to Spedding Bromwell of Talbot County certain
 p. 699 Lots of Land therein mentioned

[A Private Act] Whereas Spedding Bromwell of Talbot County hath by his Peti-
 tion to this present General Assembly set forth That in the Year of
 our Lord one thousand seven hundred and sixty three he Purchased
 of and from a certain Jacob Bromwell of the said County two Lots
 of Land situate in the Town of Oxford in the County aforesaid
 commonly known and distinguished by the Numbers forty eight
 and forty nine in the Plott of the said Town and had actually paid
 the Purchase Money for the same and that before he could get a
 legal Conveyance executed for the same the said Jacob Bromwell
 was unfortunately drowned and left Issue an Infant Son his Heir
 at Law and humbly prayed that the same Purchase might be con-
 firmed to him: And the Truth of the said Allegations being made
 appear to this General Assembly

Be it therefore Enacted by and with the Advice and Consent of
 his Lordship's Governor and the upper and lower Houses of As-
 sembly and the Authority of the same That the same Estate Right
 Title Interest Property and Claim which the said Jacob Bromwell in
 his Lifetime had of in and to the aforesaid two Lots of Land and
 each of them and all and every their Rights and Appurtenances be
 and hereby is vested and settled in the said Spedding Bromwell his
 Heirs and Assigns for ever as fully and absolutely as if the same
 had been by the said Jacob Bromwell in his Life time legally and
 actually conveyed to the said Spedding in Fee Simple

By the Lower House of Assembly 18: th June 1768 Read & Assented to. Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Horo Sharpe	By the Upper House of Assembly 18: th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:º 18 An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Anne Catharine Green of the City of Annapolis Printer Liber H. S.
No. 1

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That there shall be allowed to Anne Catharine Green of the City of Annapolis Printer the several and respective sums of Tobacco in the several Counties within this Province following to wit. In Baltimore County five thousand one hundred and sixty. Ann Arundel County four thousand three hundred and eighty six. Charles County four thousand and forty two. Prince Georges County three thousand nine hundred and fifty six. Frederick County three thousand five hundred and twenty six Queen Anns County three thousand four hundred and eighty three Saint Marys County three thousand three hundred and fifty four Dorchester County three thousand one hundred and eighty two Kent County three thousand one hundred and thirty nine Talbot County three thousand and fifty three Somerset County three thousand and ten Worcester County two thousand eight hundred and eighty one Cæcil County two thousand eight hundred and thirty eight and Calvert County nineteen hundred and ninety which said respective sums of Tobacco the Justices of the several County Courts within this Province are hereby impowered and required to allow and Assess in their respective County Levies Annually during the Continuance of this Act together with the Sheriffs Sallary of five per Cent for Collecting the same and the several sums of Tobacco so to be allowed and assessed as aforesaid shall be collected by the Sheriff of each respective County and Yearly paid by them respectively free from any Abatement or Deduction to the said Anne Catharine Green or her Order for printing stitching covering with Marble or blue Paper and delivering a Copy of the publick Laws made in this present Session of Assembly by the twentieth Day of September in the Year one thousand seven hundred and Sixty Eight and the Votes and Proceedings of the Lower House of Assembly of this present Session by the first Day of October in the Year seventeen hundred and sixty Eight and also a Copy of the Laws of any future Session within three Months and of the Votes and Proceedings of the Lower House of Assembly within four Months respectively after the End of every such Session during the Continuance of this Act to the Governor and each member of the Upper and Lower Houses of Assembly and one Book of the Votes and Proceedings to the Clerk of each House and three Books of the Votes and Proceedings aforesaid to the Clerks of the several and respective County Courts for the Perusal of the Inhabitants of the several and respective Counties and a Copy of the publick Laws during the Continuance of this Act to every Provincial and County

[Allowance
in Tobacco
to A. C.
Green.]

[In the
several
Counties]

p. 700

[Her duty
for such
Allowance]

Liber H. S. Magistrate and a Copy of each Law bound up in Leather to each
 No. 1 House of Assembly the High Court of Appeals the Provincial
 Court and to each County Court within this Province unless she
 shall be hindred by the Death of her Hands employed in the Press
 or by Sickness or the unavoidable Accident of her Press breaking

[Her allow- And be it likewise Enacted That if it should happen that in any
 ance in case Year during the Continuance of this Act there should not be any
 of no Session] Session of Assembly held within this Province whereby the said
 Anne Catharine Green may be enabled to print Laws and deliver
 them within such Year that then and in such Case there shall be
 allowed to the said Anne Catharine Green the several and respective
 sums of Tobacco in the several Counties within this Province follow-
 ing to wit In Baltimore County four thousand one hundred and
 seventy Ann Arundel County three thousand four hundred and
 forty Charles County three thousand one hundred and eighty Prince
 Georges County three thousand and ninety six Frederick County
 two thousand seven hundred and ninety five Queen Anne's County
 two thousand seven hundred and six Saint Marys County two thou-
 sand four hundred and ninety four Dorchester County two thousand
 four hundred and eight. Kent County two thousand three hundred
 and sixty five Talbot County two thousand one hundred and fifty
 Somerset County two thousand and twenty Worcester County
 nineteen hundred and thirty five Cecil County eighteen hundred
 and ninety and Calvert County fourteen hundred and sixty which
 said respective sums of Tobacco last aforementioned together with
 the Sheriffs Salary of five per Cent for collecting the same the
 said Justices of the several County Courts within this Province are
 hereby impowered and required to allow and assess in their respective
 County Levy and shall be by the respective Sheriffs collected and
 Yearly paid to the said Anne Catharine Green in manner and form
 aforesaid for her better support and Encouragement in serving this
 Province and residing within the same

[May be paid in money] Provided always and be it hereby Enacted That it shall and may be
 lawful for the Taxable Inhabitants of this Province upon whom the
 above sums of Tobacco shall be Assessed to discharge and pay the
 same in Gold and Silver at the same Rates as by the Act Entitled
 An Act for amending the Staple of Tobacco for preventing Frauds
 in his Majesty's Customs and for the Limitation of Officers Fees
 made at a Session of Assembly begun and held at the City of An-
 napolis the fourth Day of October in the Year of our Lord one
 thousand seven hundred and sixty three Gold and Silver as directed
 to be received in all Payments made in Virtue of that Act

[Proviso in case of her Death or Removal] Provided always that the said Anne Catharine Green shall actually
 reside at Annapolis during the Continuance of this Act and comply
 with the Terms thereof and that upon the Death of the said Anne
 Catharine Green or her Removal from Annapolis or ceasing to com-

ply with the Terms of this Act on her Part the Payment of the sums of Money hereinbefore directed to be paid to her shall cease Any Thing contained in this Act to the contrary notwithstanding

Liber H. S.
No. 1

And be it likewise Enacted that the Copy of the Publick Laws made this present Session of Assembly as well as those made at any future Session during the Continuance of this Act shall have Marginal Notes made and printed thereto as also the Date of the Year wherein such Laws were respectively made inserted in each page and a List of such Laws made at the End of each Session with the Page wherein they are printed All which the said Anne Catharine Green is hereby required and obliged to do as well as all other Services herein before mentioned for the Yearly Salary aforesaid

[The Laws
to have
Marginal
Notes, &c.]

Provided always That it shall and may be lawful for the Sheriffs of the several and respective Counties respectively and they are hereby required not to pay to the said Anne Catharine Green the said respective sums of Money herein before mentioned or any Part thereof to be assessed and levied for her use for her Salary for this present or any future Year during the Continuance of this Act unless it shall be made appear to them by a Certificate or Receipt from the Sheriff of Ann Arundel County for the Time being that the Publick Laws and the Votes and Proceedings of this Session and every future Session or Convention during the Continuance of this Act were printed and delivered to him within the respective Times herein before directed Any Thing herein before contained to the contrary in any wise notwithstanding

[Proviso, in
Case of her
Failure of
Duty]

And be it further Enacted That the several and respective Sheriffs within this Province shall and they are hereby directed and required to receive and forward the said Laws with the Notes and Proceedings aforesaid to the Clerks of the several County Courts and Members of each House of Assembly as publick Letters are by the Laws of this Province directed to be forwarded and under the like Penalty to be recovered and applied in like manner

[Laws and
Votes to be
forwarded as
Public
Letters.]

And be it further Enacted That from and after the first Day of November next Anne Catherine Green of the City of Annapolis Printer shall be allowed by the several and respective County Courts at their laying the County Levy the sum of three hundred and twenty Pounds of Tobacco per Annum for each Inspection respectively for printing and delivering a Sufficient Number of Books Notes and Manifests for the Inspectors of each Inspection within their Counties respectively to be levied and paid as aforesaid

[320 lb.
Tobacco
allowed
for each
Inspection,
for supplying
Books and
Notes]

And Whereas the Act of Assembly Entitled An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer made at a Session of Assembly begun and held at the City of Annapolis on the first Day of November in the Year of our Lord one

[Expiration
of a former
Act, by the
Death of
J. Green]

Liber H. S. thousand seven hundred and sixty six expired upon the Death of
No. 1 the said Jonas Green which happened some Time in the Month of
April in the Year of our Lord one thousand seven hundred and
sixty seven

[The Duties required, by that Act having been performed by A. C. Green.] And Whereas the said Anne Catharine Green since the Decease of the said Jonas Green hath not only finished and compleated the Acts of Assembly of the said Session and the Votes and Proceedings of the Lower House but hath kept and maintained a number of Hands with proper Materials for Printing and in all Things done and Performed the Duty of Printer to this Province and no Levy having been made in her Favour at any of the last November County Courts.

[Allowance to be paid her out of the Loan Office.] Be it therefore Enacted That the Committee appointed for paying Money out of the Loan Office do and shall and they are hereby authorized and required to pay the said Anne Catharine Green or her Order the sum of Nine hundred and forty eight Dollars and one half of a Dollar out of the Bills of Credit now remaining of the last Emission in the said Office in full for her Salary and Services done for this Province for the Year seventeen hundred and sixty seven aforesaid

[Duration] This Act to continue until the twenty fifth Day of December which shall be in the Year of our Lord one thousand seven hundred and sixty nine

By the Lower House of Assembly 18 th June 1768. Read and Assented to Sign'd by Order T. Wright Cl. Lo. Ho	On Behalf of the right Honble the Lord Proprietary of this Province I Will this be a Law Horo Sharpe	By the Upper House of Assembly 18 th June 1768 Read and Assented to Signed by Order UScott Cl: Up: Ho.
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the Great Seal
in Wax Appendant

N:º 19: A Supplementary Act to the Act Entituled an Act to establish a Road from Hunting Creek in Dorchester County to Dover in Talbot County.

[Preamble] Whereas it is represented to this General Assembly That the Tobacco directed to be levied on the Inhabitants of Dorchester County by an Act entituled an Act to establish a Road from Hunting Creek in Dorchester to Dover in Talbot County is insufficient for the Purpose in the said Act mentioned

[3500 lb. of Tobacco more, to be levied on the Taxable Inhabitants of Dorchester County, for Defraying the Expence of clearing the Road] Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That it shall and may be lawful for the Justices of Dorchester County and they are hereby required at their November Court next after the End of this Session of Assembly to assess and levy on the taxable Inhabitants of the said County a further sum not exceeding the sum

of three thousand five hundred Pounds of Tobacco to be paid and collected in the same Manner that the County Levies are paid and collected and to be by the said Justices applied towards defraying the Expence that hath already accrued or shall or may hereafter accrue in clearing and making the Road aforesaid agreeable to the Act aforesaid

Liber H. S.
No. 1

By the Lower House of
Assembly 18.th June 1768
Read & Assented to
Sign'd by Order
T. Wright Cl. Lo: Ho:

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I Will this be a Law.
Hore Sharpe

By the Upper House of
Assembly 18.th June 1768
Read and Assented to
Signed by Order
UScott Cl. Up. Ho.

the Great Seal
in Wax Appendant

N:º 20: A Supplementary Act to the Act to enable the Visitors of Kent County School for the Time being to lease out Part of the Land belonging to the said School.

Whereas the Visitors of Kent County School have by their Petition to this General Assembly set forth That upon Examination of the Platt of the said School-Land they find it impracticable to lay out the said Land to any Advantage to the School agreeable to the express Directions of the said Act and have prayed for a General Power to lease out the said Land and also the ten Acres heretofore laid out by the Visitors of the said School for the Use of the Master of the said School in such Manner as the Visitors of the said School or the Major part of them shall judge most to the advantage of the said School still reserving ten Acres thereof for the Use of the Master to be also laid out in such Manner as they shall judge proper so as the said ten Acres shall include the School House and the Spring called the Free-School-Spring

[Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That the said Visitors or the Major Part of them shall and may and are hereby impowered to lay out ten Acres of the said School Land as they shall think most convenient for the use of the Master but in such manner as to include the School House and the Spring called the Free School Spring and are also hereby impowered to demise [*sic*] and lease out any other Part of the said Free School Land not included in the said ten Acres to be laid out for the use of the Master under Yearly Rent for any Term not exceeding twenty one Years on the best Terms they can procure & in such Parcels or Quantities as will best accomodate the people offering to take the said Land any Thing in the said Act to which this is a Supplement or in any other Act of Assembly notwithstanding And that the

p. 703
[The Visitors to lay out 10 Acres of the School-Land, for the use of the Master, to include the School-House and spring; and to lease out the remainder for any term not exceeding 21 Years &c.]

Liber H. S. Monies arising on such Leases for the Rents of the said Lands
No. 1 shall be applied by the Visitors of the same School or the Major
Part of them as to them shall seem meet for the Benefit of the said
School.

By the Lower House of Assembly 18:th June 1768 Read and Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law. Hor ^o Sharpe	By the Upper House of Assembly 18:th June 1768 Read and Assented to UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:º 21: An Act for turning Part of a Street called East Street in the City
of Annapolis and for confirming the Title of Thomas Jenings
Esquire of the said City to a Lot of Ground therein

[A Private
Act] Whereas Thomas Jenings Esquire by his Petition to this General
Assembly hath set forth that he is seised in ffee of a Lot or Portion
of Ground in the City of Annapolis distinguished on the Plat of
the said City by the Number Eighty six through which Lot there runs
a Street called East Street and praying that the said Street may be
turned so as to run up with and bind on the Lot distinguished on the
Plat of the said City by the Number Eighty five late in the Tenure
of John Brice Esquire deceased and that the Remainder of the said
Lot Number Eighty six including that Part of East Street aforesaid
which runs through the same may be confirmed to him in ffee and
it appearing that the Corporation of the aforesaid City of Annapolis
have Assented to such Alteration and turning of the said Street

Be it therefore Enacted by and with the Advice and Consent of his
Lordship's Governor and the Upper and Lower Houses of Assembly
and the Authority of the same that the said Street called East-Street
shall at all Times hereafter run up with and bind on the aforesaid
Lot distinguished on the Plat of the said City by the Number eighty
five and not through the Lot Number Eighty six as it originally run
And the Remainder of the said Lot Number Eighty six including
that Part of East Street aforesaid which originally run through
the same is hereby confirmed unto the said Thomas Jenings and his
Heirs for ever saving to all others not named their just Rights.

By the Lower House of Assembly 20:th June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law Hor ^o Sharpe	By the Upper House of Assembly 21:st June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:º 22: An Act to give Thomas Harrison further Time to effect the Removal of a Nuisance in Baltimore Town in Baltimore County. Liber H. S.
No. 1
p. 704

Whereas Thomas Harrison by his humble Petition to this General Assembly has set forth That in pursuance of the Act entituled An Act to remove a Nuisance in Baltimore Town in Baltimore County and for other Purposes therein mentioned and within the Time prescribed by the said Act he the said Thomas Harrison did elect to remove his Part of the said Nuisance at his own proper Charge and Expence and did execute such Bond in such Penalty and with such Condition as by the said Act was directed but that the Removal of the said Nuisance is so difficult a Labour that he cannot effect the same within the Time limited by the said Act and therefore the said Thomas Harrison by his said Petition prayed further Time for doing of the same: And as a further Time appears to this General Assembly to be reasonable and necessary [Preamble]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That the said Thomas Harrison for effecting the Removal of his Part of the said Nuisance have the further Time of two Years from the Expiration of the Time limited by the Act aforesaid [Two Years further Time allowed him, than by a former Act]

And be it further Enacted that the Bond aforesaid passed and executed as aforesaid by the said Thomas Harrison shall have no other Effect or Operation than to stand as a Security for effecting the Removal of his Part of the said Nuisance within the Time given by this Act [A former Bond given, still to stand as a Security]

By the Lower House of Assembly 20. th June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I will this be a Law. Hore Sharpe	By the Upper House of Assembly 20. th June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:º 23: An Act to impower Mary Philpot Widow and Administratrix of Brian Philpot late of Baltimore Town in Baltimore County Merchant deceased to sell the real Estate of her said Husband for the Payment of the Debts of the said Brian Philpot. [A Private Act]

Whereas Mary Philpot by her humble Petition to this General Assembly hath set forth That she having administered on the Estate of her deceased Husband did by Advertisement in the Maryland Gazette request the Creditors of the said Brian Philpot to acquaint her with the State of their several Claims against the Estate that sundry of them had complied with her Request that their Claims delivered in amount to one thousand eight hundred and seventy six

Liber H. S. Pounds fifteen shillings and four pence Current Money and four
 No. 1 thousand and ninety three Pounds nineteen shillings and eight pence
 Sterling That over and above these Sums there are other Debts on
 Bonds and on unsettled and open Accounts the Balances of which
 she apprehends and believes will be considerably against the Estate
 That She hath appraised the Estate of her said Husband and re-
 turned an Inventory thereof amounting to nine hundred Pounds
 fifteen shillings and eight pence half penny Currency and a List of
 sperate Debts amounting to six hundred and sixty nine Pounds
 eleven shillings and eight pence Pennsylvania Currency consisting
 of two Bonds Past for the Consideration of a Tract of Land sold
 but not conveyed That there appears to her no other Debts due to
 p. 705 the said Estate except some unsettled Accounts which she apprehends are desperate That her said Husband did in his Lifetime write down and deliver to an Attorney a Memorandum or Minutes in Writing wherefrom to draw his last Will and Testament and therein did appoint and direct sundry of his Lands and real Estate to be sold for the Payment of his Debts That the said Will was not drawn or any other Will ever executed That the said Brian Philpot her Husband died seized and Possessed of a considerable real Estate great Part thereof lying adjacent to Baltimore Town and by her late Husband laid out in Lotts and Streets That the Personal Estate being insufficient for the Payment of the Debts and the greatest Part of them being on Interest should the Payment be delayed till the Arrival of the Heir at Law to Age the same would exceed the Amount of the real Estate and prayed that a Law might pass to enable her to make Sale of the real Estate of her said Husband or so much thereof as would be sufficient to pay and satisfy the Debts due from the said Estate and remaining unpaid after the Personal Estate is paid away And Whereas the Allegations in the said Petition appear to this General Assembly to be true

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That the said Mary Philpot shall be and is by Virtue of this Act impowered to set up and expose to sale by Way of publick Vendue to the highest Bidder in convenient Parts and Parcels the whole if necessary of the real Estate of the said Brian Philpot and of which the said Brian Philpot died seized and possessed at the Time of his Death (three Months Notice of the Time and place of such Vendue being first given in the Maryland and Pennsylvania Gazettes) And such Lands or such Part or Parts thereof as may be sufficient to raise money to satisfy and pay the Debts due from the said Brian Philpot as aforesaid and all the Estate Right and Title of the said Brian Philpot therein, respectively at the Time of his Death to make over and convey by Indenture of Bargain and Sale or by any other

proper Conveyance to any Person or Persons who shall bid and give the best and highest Price therefor as fully and effectually to all Intents and Purposes as if the said Mary Philpot was herself in her own Right Seised of and in the like Estate in such Lands and other the Premises respectively as the said Brian Philpot was seized of at the Time of his Death And the monies arising on such Sale or Sales to lay out apply and dispose of for and towards the payment and Satisfaction of the Debts of the said Brian Philpot which he did owe at the Time of his Death and still remain due and unsatisfied and to the Satisfaction and Discharge whereof the Personal Estate of the said Brian Philpot will not extend and the necessary Charges attending the said Sale And to the End that the said Sale shall be fairly made and the money arising therefrom be duly applied

Liber H. S.
No. 1

Be it Enacted That the said Mary Philpot shall before such Sale or Sales give Bond with sufficient Sureties to the Deputy Commissary of Baltimore County for the Time being in the same Manner and Form as is Usual in Cases of Intestates Estates (which said Bond shall be by him transmitted to and lodged in the Prerogative Office) with Condition to the same That the said Mary Philpot shall dispose of account for the Monies arising by such Sale or Sales produce a Certificate from the said Deputy Commissary of such Security having been given And also that the said Mary Philpot shall within twelve Months after any Vendue as aforesaid account with the Commissary for the Produce of such Sale in the same Manner as if the same was properly personal Estate to be paid according to Law and the Meaning and Intention of this Act

Provided always and be it Enacted That this Act shall not extend to empower the said Mary Philpot to burthen or charge the Orphan or Orphans of the said Brian Philpot or any Person or Persons claiming by from or under them or any of them with any General or other Warranty than against the said Brian Philpot and his Heirs

By the Lower House of Assembly 20: th June 1768 Read and Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I will this be a Law Hor ^o Sharpe	By the Upper House of Assembly 21: st June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N.^o 24: An Act for the building of a Parish Church and Chapel of Ease in p. 706
Saint John's Parish in Queen Annes County

Whereas it has been represented to this General Assembly by [Preamble]
sundry the Inhabitants of S.^t Johns Parish in Queen Anne's County
that the Parish Church is greatly impaired and that there is a neces-
sary for building in the said Parish not only a Parish Church but also
a Chapel of Ease and that there is now in the hands of the Vestry

Liber H. S. of the said Parish about the sum of Twelve hundred Pounds Current
 No. 1 Money to be applied for that Purpose

And Whereas there are various Opinions amongst the Parishioners of the said Parish about the Places whereon it may be proper to place the said Church and Chapel of Ease it is therefore thought fit by this General Assembly for settling all differences amongst the Parishioners aforesaid to enact

[The Vestrymen impowered to build on 2 acres of Land, given by T. Wright for the said church. The chapel to be built at Tuckahoe Bridge]

And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That the Vestry-Men of the said Parish or the major Part of them shall be and they are hereby impowered to erect and build on two Acres of Land laid out and given by M.^r Thomas Wright for the use of the said Parish at a place called and known by the Name of the Nine Bridges in the said County the Parish Church of the said Parish in such form and manner as by the said Vestry shall be adjudged fit and Convenient for the said Parish and also to erect and build a Chapel of Ease at Tuckahoe Bridge and as near as may be to the place where the present Church now stands of such Dimensions and form and in such manner as the said Vestry or the major Part of them shall Judge proper

[All the Tobacco or money in the Hands of the Vestry, to be applied towards building the Church, and Chapel of Ease; and if not sufficient a further sum to be levied, not exceeding 100,000 lb. of Tobacco, by 3 equal Assessment]

And be it further Enacted by the Authority aforesaid that all the Tobacco or Money now in the hands of the said Vestry which hath arisen during the vacancy of the said Parish shall be applied by them or the Major Part of them towards building and erecting the said Church and Chapel of Ease and if the said sum now in the Hands of the said Vestry shall not be sufficient for the Purposes aforesaid the Justices of Queen Anne's County Court shall and they are hereby required upon application made to them by the Vestry aforesaid or the major Part of them to levy upon the Taxable Inhabitants of the Parish aforesaid such Quantity of Tobacco as may be necessary for building finishing and Compleating the buildings aforesaid not exceeding the Quantity of one hundred thousand Pounds of Tobacco together with the Sheriffs Salary of five Pounds of Tobacco per Centum for Collecting the same by three equal Assessments that is to say one third Part thereof at their next November Court one third Part thereof at their November Court which shall be in the Year seventeen hundred and sixty nine and one third Part thereof at their November Court which shall be in the Year seventeen hundred and seventy which said Quantity of one hundred thousand Pounds of Tobacco shall and may be Collected by the Sheriff of the said County together with his Commission as aforesaid and may be paid and discharged by the Parishioners aforesaid in the same manner that other County and Parish Taxes are collected paid and discharged and shall by the said Sheriff be accounted for and paid to the Vestry and Church Wardens of S.^t Johns Parish aforesaid

for the Time being who are hereby Authorized and required to apply the same towards building furnishing and Compleating the said Church and Chapel of Ease in the Parish and at the places aforesaid

Liber H. S.
No. 1

And Whereas the Vestry of the said Parish in Virtue of an Act made at a Session of Assembly begun and held at the City of Annapolis on the twenty sixth Day of May seventeen hundred and four entitled "An Act for the Confirming Titles of Land given to the Use of the Churches and several Chapels within this Province impowering the Commissioners of the respective Counties and Vestries of the respective Parishes to take up certain Parcels of Land for the Use of the same did Condemn two Acres of Land at a Place called Chickens Bridge for erecting a Parish Church thereon

[Two acres of Land formerly condemned, for erecting a Parish Church, to be sold, and the money to be applied to the purposes aforesaid] p. 707

Be it therefore Enacted by the Authority aforesaid That the said Vestry shall be and they are hereby impowered and directed to make Sale of the said two Acres of Land to the highest bidder and to apply the Money arising upon such Sale to the Purposes aforesaid

By the Lower House of Assembly 21. st June 1768 Read & Assented to Sign'd by Order T. Wright Cl: Lo: Ho:	On Behalf of the right Honble the Lord Pro- prietary of this Province I Will this be a Law. Hor ^o Sharpe	By the Upper House of Assembly 21. st June 1768 Read and Assented to Signed by Order UScott Cl. Up. Ho.
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the Great Seal
in Wax Appendant

N:^o 25: An Act for the Relief of the Reverend John M^cPherson of Charles County [A Private Act]

Whereas the said John M^cPherson by his humble Petition to this present General Assembly hath set forth That for several Months past he had been a languishing Prisoner in said County Goal for larger sums than he was unfortunately able to pay That he had offered to give up his whole Estate real and personal and his future Income as Rector of William and Mary Parish in said County to and for the Benefit of his Creditors reserving only such sum out of his thirty per Poll as might be sufficient for his Support and Maintenance And the Allegations of the said Petition appearing to be true and that his lying in Goal can be of no Advantage to his Creditors it is therefore prayed that it may be Enacted

And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That Mess.^{rs} Josias Hawkins, George Dent and Samuel Love shall and are hereby nominated constituted and appointed Trustees for the Creditors of the said John Macpherson and that from and after the first Day of July next the whole Estate real and

Liber H. S. Personal of him the said John McPherson (his wearing Apparel and
No. 1 Library only excepted) shall be and is hereby Vested in the said
Trustees for the Benefit of the Creditors of the said John M^cPherson
and they the said Trustees or the Survivors of them are hereby
authorized and required to enter into take hold and possess the
same as fully and amply to all Intents and Purposes as the said
John M^cPherson himself might or could do and are hereby im-
powered in their own Names to maintain any Action or Actions
for Recovery of any Debts due to the said John M^cPherson and
upon Receipt thereof to give Discharges for the same

And be it further Enacted That the said Trustees or the Survivors
of them shall and they are hereby Authorized and required to receive
the thirty per Poll annually arising and which shall arise due to the
said John M^cPherson as Rector of William and Mary Parish in said
County or any other Parish within this Province as also the Rents
and Profits of the Glebe Land and the Profits arising from the Labour
of the Slaves thereto belonging. And the said Trustees or the
Survivors of them are hereby Authorized and required to give
publick Notice to all the Creditors of the said John M^cPherson by
Advertisements to be published in the Maryland Gazette of the Time
and Place of their Meeting to receive the Claims of the several
Creditors of the said John who are willing to accept their Dividend
under this Act and after the said Trustees or the Survivors of them
have received an Account of the said Claims they are hereby Author-
ized to settle and adjust the same and make an Estimate thereof ac-
cording to the several sums they shall allow to be due

p. 708 And be it further Enacted That the said Trustees or the Survivors
of them are hereby Authorized and required as soon as conveniently
may be to make Sale of the whole real and personal Estate of the
said John M^cPherson to which he is not entitled as Rector of William
and Mary Parish aforesaid and the Money arising from such Sale
to distribute equally amongst his Creditors aforesaid in proportion
to their several Claims so adjusted and settled as aforesaid reserving
to themselves a Commission of ten per Cent for their Trouble therein

And be it further Enacted That the said Trustees or the Survivors
of them shall and are hereby required annually to make Distribution
of the Money and Tobacco arising due from the thirty per Poll to
the said John as Rector of William and Mary Parish as also from
the Rents and Profits of the Glebe Land and also from the Labour
of the Slaves aforesaid amongst his Creditors aforesaid in Pro-
portion to their several Claims so adjusted and settled reserving a
Commission of five per Cent for their Trouble and having first
deducted the sum of eleven thousand Pounds of Tobacco from such
annual Income or thirty per Poll which they are hereby Authorized
and Required to pay to the said John M^cPherson or his Order for
his Support and Maintenance and for which said Sum of eleven

thousand Pounds of Tobacco the said Trustees or the Survivors of them shall annually have Allowance in their Accounts with the Creditors of the said John M^cPherson. Liber H. S.
No. 1

And be it further Enacted That in Case the said John M^cPherson shall at some convenient Time after the Receipt of this Act not exceeding five Days deliver up and surrender or cause to be delivered up and surrender to the said Trustees or the Survivors of them all his real and personal Estate either in Possession Reversion Remainder or in Trust or in or unto which he hath any Claim or Title whatsoever and at the Time of such surrender take his Solemn Oath to the Effect following (viz) "I John M^cPherson do solemnly swear that the Lands Goods Debts and Effects which I have surrendered and delivered to the said Josias Hawkins George Dent and Samuel Love in Trust for the Use of my Creditors are the whole Estate both real and personal of my own in possession or that I have any Title to in the World (except the Interest or Share I have in the Cudbear Works in Scotland and my necessary wearing Apparel and Library) and that I have not directly or Indirectly sold leased or otherwise conveyed disposed of or intrusted all or any Part of my Estate thereby to defraud my Creditors or to secure the same or receive or expect any Profit or Advantage thereof (so help Me God) And in Case the said John M^cPherson shall within the said five Days by Good and sufficient Deeds of Lease and Release or otherwise make over and convey unto the said Josias Hawkins George Dent and Samuel Love or the Survivors of them all his Share Interest and Property in the Cudbear Works in Scotland and all his Estate and Interest in that Kingdom or elsewhere for the Benefit of his Creditors it shall and may be lawful for the Sheriff of the County aforesaid after the End of the said five Days and he is hereby required to discharge the said John M^cPherson and suffer him to go at large

And be it further Enacted That if the said John M^cPherson shall be arrested or imprisoned on any Process sued out or any Judgment or Decree obtained against him for any Debt Damages or Costs contracted owing or growing due before the End of this Session of Assembly the Court out of which such Process issued shall and may discharge him on Motion; and if the said John M^cPherson shall be arrested or imprisoned on any Process for the Recovery of any Debt Damages or Costs contracted owing or growing due before the End of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may discharge the Party arrested out of Custody on his common Appearance being entered without any Special Bail Provided that the Discharge of the said John M^cPherson shall not Acquit any other Person from such Debt Damage or Cost or any Part thereof but that all such Persons shall be answerable for the same in such manner as they were before the passing this Act p. 709

Liber H. S. And be it further Enacted That if any Action of Escape be brought
 No. 1 against any Sheriff or any Suit or Action against any Justice or
 Justices for their performing their Duty in Pursuance of this Act
 he or they may plead the General Issue and give this Act and the
 Special Matter in Evidence and if the Plaintiff be nonsuit or dis-
 continue his Action or Credit pass against such Plaintiff or Judgment
 upon Demurrer the Defendant shall have and recover double Cost
 Provided That nothing in this Act shall extend to barr any Creditor
 or Creditors of the before mentioned John M^cPherson from having
 and maintaining any Action of Escape against any Sheriff who hath
 permitted an Escape before the making this Act

And be it further Enacted That in Case the said John M^cPherson
 shall at any Time after making such Oath as aforesaid be convict
 of wilful and corrupt Perjury thereupon or of a wilful Breach or
 noncompliance with the Tenor of such Oath or Affirmation as afore-
 said that then upon such Conviction aforesaid he shall be wholly
 deprived of any Benefit intended him by this Act and shall from
 thenceforth be liable to be prosecuted for any Debt or Demands
 whatsoever in the same Manner as if this Act had never been made

Provided also That the Sheriff of Charles County aforesaid
 shall be first paid for Imprisonment Fees before any Creditor or
 Creditors shall have or receive any Share or Part of the Estate of
 the said John M^cPherson or of the Produce thereof.

By the Lower House of
 Assembly 21st June 1768.
 Read & Assented to
 Sign'd by Order
 T. Wright Cl: Lo: Ho:

On Behalf of the right
 Honble the Lord Pro-
 prietary of this Province
 I Will this be a Law
 Hor^o Sharpe

By the Upper House of
 Assembly 21st June 1768
 Read and Assented to
 Signed by Order
 UScott Cl: Up: Ho:

the Great Seal
 in Wax Appendant

N^o 26: An Act for the relief of certain Languishing Prisoners in the
 several Goals therein mentioned

[Preamble,
 with the
 Names of the
 Prisoners
 relieved by
 this Act]
 Whereas Clement Spalding, Charles Holt Flower, Thomas Cooke,
 Ignatius Edwards, John Higdon & Robert Huston of S.^t Marys
 County Thomas Freeman, Richard Young, John Ruffe and David
 Wilkinson of Calvert County Peter Roby, Presly Cahiehl, Mark
 Latimer, George Lovely, John Tallmage, Robert Wilson, Catharine
 M^cDonal, George Waple, John Wade, Grace Pilkington, William
 Hudson & John Lammond Joseph Nalley, John Luckett, Elisha
 Harbin, Cornelius Maddox, Thomas Nalley and John Gilmore of
 Charles County Joseph M^cCubbin, John Berry, Thomas Todd and
 Thomas Town of Ann Arundel County Joseph White and Benjamin
 Kidwell of Prince Georges County John Bain, Francis Harris, Wil-
 liam Conhold, Thomas Dey, William Andrews George Grehon, Wil-

liam Jones, John Clay, James Oliver and Richard Treadwell of Baltimore County William Banks Walls, John Metcalf, John Row, Josias Talburt, John Alexander Brown, Christian Shock, John Weaver, William Drown, Alexander Crawford, Richard Bealle, Jacob Sharrer, Robert Martin, John Ross Mellan, John Waters, Frederick Clabough, Thomas Witten, George Henback and Thomas Davis of Frederick County Samuel Owens, William Ford, John Kennerly Thomas Phillips and Arthur Marshall of Somerset County Stephen Bissell, Mitchell King, Thomas Butler, William Handcock, John Benson, George Grear, Daniel Handcock, John Permwell, Ezekiel Claywell, Joshua Wheeler, David McCluer, Solomon Smallwood Jonathan Dyer, John Baker, Philip Gutterie, Christopher Godlove Schoglamer and John Cornwell of Worcester County Richard Blackburn Jackson, Thomas Davis, Robert Porter, David Covenover and Griffith Williams of Cæcil County Nicholas Bowdle Hezekiah McCotter and Robert Parkinson of Dorchester County George Harrington, William Dockery, Joseph Nevill, William Horn, Thomas Farrell and Joseph Harris of Queen Anns County William Greenwood, Benjamin Steed, Robert Phillips, John Briscoe and Patrick Dugan of Kent County Benjamin Buckler, John Dart, Alexander Anderson and Edward Power of S.^t Marys County and John Long of Baltimore County by their Petitions to this General Assembly have set forth That they have respectively continued Prisoners for Debt in the Custody of the Sheriffs of the respective Counties aforesaid for a considerable Time Past and still continue in the like deplorable Circumstances not being able to redeem their Bodies with all the Estate or Interest they have in the World which they would readily surrender up and part with to their several and respective Creditors if they would accept of the same and grant the said Petitioners their Liberty which sums so unlikely for them to obtain that (unless relieved by a particular Act to be passed in their favour which by their said Petitions they have humbly prayed) they must inevitably continue Prisoners for Life And as the Allegations of the said Petitioners appear to this General Assembly to be true and that their lying Goal can be of no Advantage to their Creditors it is humbly prayed that the said Petitioners may be relieved according to their Prayers and that it may be Enacted

Liber H. S.
No. 1

p. 710

And be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and Lower Houses of Assembly and the Authority of the same That in Case the said Prisoners shall deliver up and Surrender or cause to be delivered up and Surrendered to the Sheriffs of the respective Counties aforesaid in the Presence of two Justices of the Peace of the Counties aforesaid whom the said Sheriffs are hereby required to summon at the request of the said Prisoners at some convenient Time after the end of this Session of Assembly all their

[Prisoners
to be dis-
charged on
delivering up
their Effects,
on Oath]

Liber H. S. real and personal Estate either in Possession Reversion Remainder or
 No. 1 in Trust or in or unto which they have any Claim or Interest whatsoever and likewise convey Assign Transfer and make over unto the Sheriffs respectively for the Use of the said Creditors all such their Estate Interest or Claim as aforesaid after such Manner as by the said Sheriffs and by the Major Part of such Creditors or such of them as shall think fit to direct therein or their Counsel Learned in the Law shall reasonably devise or require at the Costs and Charges of the Persons who shall Claim Benefit thereof so that the said Prisoners be not burthened with any Warrantees thereby other than against themselves or those Claiming by from or under them and that the said Prisoners at the Time of such their Surrender and Transferring their Estate as aforesaid shall take their Solemn Oaths (or Affirmation if Quakers before the said two Justices aforesaid to the Effect following Viz.^t "I A B do Affirm or Solemnly Swear

[The Oath] That the Goods Debts and Effects which I have delivered Assigned and made over to the Sheriff of _____ County in Trust for the Use of my Creditors is the whole Estate both real and Personal of my own in Possession or that I have any title to in the World and that I have not any Estate Goods or Effects of any kind whatsoever left either in possession Reversion or Remainder (the Necessary Wearing Apparel of myself Wife and Children and Working Tools excepted) and that I have not directly or indirectly sold leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to secure the same to receive or expect any Profit or Advantage thereof, So help me God" It shall and may be lawful for the Sheriffs of the Counties aforesaid to discharge the said Prisoners and suffer them to go at large

p. 711 And be it further Enacted that if the said Prisoners or any of
 [To be discharged from
 future Arrests on
 Appearance,
 &c.] them shall be arrested or Imprisoned on any Process Sued out on any Judgment or Decree obtained against any of them for any Debt Damages or Costs Contracted owing or growing due before the End of this Session of Assembly the Court out of which such Process issued shall and may discharge such Prisoner on Motion And if the said Prisoners or any of them shall be Arrested or Imprisoned on any Process for the Recovery of any Debt Damages or Costs contracted owing or growing due before the End of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may discharge the Party Arrested out of Custody on his or her common appearance being entered without any Special Bail. Provided That the discharge of the said Prisoners or any of them shall not acquit any other Person from such Debt Damage or Cost or any part thereof but that all such persons shall be answerable for the same in such Manner as they were before the passing this Act.

Provided always and be it Enacted That notwithstanding the Discharge of the said Prisoners or any of them all and every Debt or Debts due and owing from him her or them and all and every Judgment had or Decree obtained against him her or them shall stand and be good and effectual in Law to all Intents and Purposes against the Lands Tenements and Hereditaments Goods and Chattles of him her or them or which he she or they or any other Person in Trust for the Use of him her or them had at the Time of the discharge of the said Prisoners or any of them or which he she or they at any Time hereafter shall or may be any way seized or possessed of or Interested in to his her or their own Use or in his her or their own proper Right either in Law or Equity (except the Wearing Apparel Bedding and Working Tools of him or them not exceeding the sum of ten Pounds Current Money) and it shall and may be lawfull for any of their Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias previous thereto against the Lands Tenements or other Hereditaments Goods and Chattles of the said Prisoners or any of them (except as before Excepted) for the Satisfaction of his her or their Debts in such sort Manner and form as he she or they might have done if the said Prisoners or any of them had not been taken in Execution or discharged by Virtue of this Act

Liber H. S.
No. 1
[Debts to
stand good
in Case,
&c.]

And be it further Enacted by the Authority aforesaid that if any Action of Escape be brought against any Sheriff or any Suit or Action against any Justice or Justices for their performing their Duty in Pursuance of this Act he or they may plead the General Issue and give this Act and the Special Matter in Evidence and if the Plaintiff be non suit or discontinue his Action or Verdict pass against such Plaintiff or Judgment upon Demurer the Defendant shall have and recover double Costs.

[Actions of
Escape]

Provided also That nothing in this Act shall extend or be Construed to extend to bar any Creditor or Creditors of the before mentioned Prisoners from having and maintaining any Action of Escape against any Sheriff who hath permitted any Escape before the making of this Act.

[Proviso, as
to Escape]

Provided Nevertheless That in Case any of the said Prisoners shall at any Time after making such Oath or Affirmation as aforesaid be Convict of willful and corrupt Perjury thereupon or of a willfull Breach or non-compliance with the Tenor of such Oath or Affirmation as aforesaid that then the said Prisoner shall upon such Conviction as aforesaid be wholly deprived of any Benefit intended to him her or them by this Act and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever in the same manner as if this Act had never been made Any Thing to the Contrary notwithstanding

[In case of
Perjury]

Provided Also that the respective Sheriffs of the Counties afore-

[Sheriffs
Fees to be
first paid]

Liber H. S. said shall be first paid and satisfied for their Imprisonment fees
 No. 1 before any Creditor or Creditors shall have or receive any Share
 or Part of the Estates of the said Prisoners respectively or of the
 Produce thereof

p. 712
 [Notice to
 be given of
 the sale of
 the Prison-
 er's Estate,
 &c.]

And be it further Enacted That after Publick Notice given by
 Advertisements set up at the Court House Door of the County thirty
 Days at the least of the Sale of any of the said Prisoners Lands and
 five Days at the least of the Sale of any the said Prisoners other Estate
 the said Sheriffs to whom any of the said Estates real or Personal
 shall be surrendered and delivered up in Pursuance of this Act shall
 set up and expose such Estates to Sale by way of Publick Vendue in
 the Presence of one Justice of the Peace and the Produce arising by
 such Sale shall be by the said Sheriffs in manner following paid and
 satisfied (that is to say) after satisfaction of the aforesaid Imprison-
 ment Fees that the Estate and Interest of the aforesaid Prisoners
 respectively upon which their Judgment Creditors or any Claiming
 or that shall Claim under them by Assignment or otherwise have
 or shall have any Lien or the Produce thereof shall be in the first
 place after satisfaction of the Sheriffs as aforesaid applied to the
 discharge of the said Creditors according to the order and Priority
 of their Judgments and the Lien arising therefrom and that the
 residue of the Estate and Interest of the said Prisoners respectively
 or the Produce thereof shall be distributed among all their Creditors
 that shall apply therefor within thirty Days after the aforesaid Sale
 in equal Proportion to their Demands

[Bonds, &c.
 belonging to
 the Prisoners
 to be as-
 signed to the
 Sheriff]

And be it further Enacted that all the Accounts Bonds Notes and
 other Demands which any of the said Prisoners have against any
 Person or Persons whatsoever shall be by the said Prisoner or
 Prisoners Assigned to the Sheriff in whose Custody such Prisoner
 or Prisoners shall be at the Time of their discharge and that such
 Sheriff or Sheriffs shall and may maintain an Action or Actions on
 such Demands as Assignee of such Prisoner or Prisoners in his own
 Name.

Provided always That such Creditor or Creditors require and
 demand such Sheriff to sue and give to such Sheriff a Bond to indem-
 nify him against any charge that may accrue to him by means of any
 such suit and in Case of Recovery that then the Sheriff make distri-
 bution of what shall be recovered to the Person or Persons giving
 him such security as aforesaid

[Prisoners,
 if single, to
 be sold for
 Five Years]

And be it further Enacted by the Authority aforesaid that if any
 of the Persons intended to be relieved by this Act are and shall be
 of sufficient Ability of Body to Labour such Person or Persons not
 having a Wife or Family shall be and are hereby obliged to serve
 for a Time not exceeding five Years to any Person or Persons who
 are and shall inclined to purchase the Time of Servitude of such
 Debter or Debtors and that the respective Sheriffs in whose Custody

the aforesaid Debtors or any of them are be and are hereby Authorized and obliged to summon two Justices of the Peace in the respective Counties at the request of the said Prisoners as soon as Conveniently may be after the End of this Session of Assembly and after giving five Days notice at the Court Houses of the respective Counties of the intended sale of such Debtor or Debtors expose to Sale in the presence of the said Justices such Debtor or Debtors and the Time of his or their Servitude to the highest Bidder and the Money arising from such Sale shall be as Effects of such Debtor or Debtors in the Hands of the respective Sheriffs Subject as aforesaid to a Distribution in Manner aforesaid and the Sale and Service of such Debtor or Debtors as aforesaid is hereby directed to be taken as a full and sufficient Acquittal and discharge against all Debts due from such Debtor or Debtors before such Sale.

Liber H. S.
No. 1

Provided that in Case it shall appear to the Satisfaction of the said Justices that any of the said Debtors have offered since their Confinement to make Satisfaction to their Creditors by Servitude and that their Creditors have refused to Accept the same that the Time such Debtors have been confined in Prison shall be deemed and taken as Part of the aforesaid five Years and that they shall be obliged to serve only for such Time as will compleat five Years from the Day of such Offer of Servitude And that in Case any such Single Persons as aforesaid have been confined in Prison for five Years or any longer Time that the said Persons so confined shall be discharged upon the same Terms and in the same manner that Persons having Families are by this Act directed to be discharged

p. 713

By the Lower House of
Assembly 21.st June 1768
Read and Assented to
Sign'd by Order
T. Wright Cl: Lo: Ho:

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I Will this be a Law
Horo Sharpe

By the Upper House of
Assembly 21.st June 1768
Read and Assented to
Signed by Order
U Scott Cl. Up. Ho.

the Great Seal
in Wax Appendant

N:º 27 An Act for licensing Ordinary Keepers Hawkers Pedlars and Petty Chapmen

Be it Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same that all and every Hawker Pedlar or Petty Chapman carrying Goods for Sale from place to place after the first Day of December next shall before they Trade Barter or Sell any such Goods take out License from some County Court within this Province which shall be renewed Yearly and every Year And every County Court within this Province for the Time being is hereby directed and obliged upon application of any such Hawker Pedlar or Petty Chapman

[Hawkers,
Pedlars, and
Petty Chap-
men, After
the 1st of
Dec. to take
out Licenses,
which must
be renewed
annually]

Liber H. S. that doth not appear to such Court to be of ill Fame to grant License
No. 1 in the Words following Viz.^t "License is hereby granted by

County Court unto "A. B. to travel and trade as a Hawker Pedlar and Petty Chapman within the Province of Maryland for the Space and Term of One Year to commence from the Date hereof he behaving himself well." Which License shall be Attested by the Clerk of such Court under his Hand and the Seal of the said Court for which License or Renewal thereof such Pedlar Hawker or Petty Chapman shall pay the sum of four Pounds Current Money to the Sheriff of that County and also the sum of four shillings Current Money to the Clerk of such Court for his fee for making out or renewing such License and making out and transmitting the Lists hereafter mentioned

[In case of Failure, and found Travelling with Goods for sale, to forfeit 20 l.] And be it likewise Enacted That in Case any Hawker Pedlar or Petty Chapman shall after the Time aforesaid be found Travelling with or exposing or Offering Goods for Sale within this Province without first applying for and obtaining a License for that Purpose according to the Intent and Directions of this Act such Hawker Pedlar or Petty Chapman shall forfeit and pay the sum of Twenty Pounds Current Money

[Any person, but particularly Sheriffs &c. impowered to examine Persons dealing as a Petty Chapman, and require them to produce a License, and in Case of Refusal, to carry them before a Magistrate &c.] And be it likewise Enacted that any Person but more Particularly the High Sheriffs Deputy Sheriffs and Constables within this Province shall and may and they and every of them are hereby directed and impowered to examine any Person who they shall find Hawking Pedling or dealing as a Petty Chapman and require him or her to produce his or her License and in Case of refusal or neglect of such Pedlar Hawker or Petty Chapman to produce the same to carry such Pedlar Hawker or Petty Chapman before any Justice of the Peace and such Justice is hereby impowered and directed to bind over such Hawker Pedlar or Petty Chapman to the next County Court there to be dealt with according to Law unless he or she shall then produce such License And if such License shall be then produced having been obstinately refused before such Justice shall award Judgment against such Hawker Pedlar or Petty Chapman to pay the Person or Persons so bringing him or her before such Justice the sum of sixteen shillings Current Money as a satisfaction for his her or their Trouble before such Justice shall discharge such Hawker Pedlar or Petty Chapman so brought before him

[Proviso] Provided always that Persons travelling with Linnen of the Growth and Manufacture of this Province and selling or bartering the same or any kind of Provision or Hemp Flax Thread or Yarn of the Growth or Manufacture of this or any other place shall not in respect of such Linnen Provision Hemp Flax Thread or Yarn only be deemed or held as Hawkers Pedlars Petty Chapmen within this Act any thing herein to the Contrary notwithstanding

And be it further Enacted that the Justices of each County in Court sitting be and are hereby impowered and Authorized at their next August Court to grant Licenses to such Person or Persons as they shall think fit being Persons of good repute to be Ordinary Keepers for Keeping of Ordinaries in such and so many Places within their several and respective Counties for the Ease and Convenience of the Inhabitants Travellers and strangers as to them respectively shall seem meet for every of which Licenses there shall be paid the sum of four Pounds Current Money for every Year such Person or Persons shall keep Ordinary as aforesaid

Liber H. S.
No. 1
[The Justices
to grant
Licenses at
August
Court, to
Persons of
Repute, to
keep Ordinary;
such
Persons pay-
ing 4 l.
annually]

And be it further Enacted that during the Continuance of this Act all Ordinary Licenses shall be renewed at every August Court on Pain that any Person then Omitting or Neglecting to renew License and continuing to sell Liquor as an Ordinary Keeper shall be liable to all the Penalties mentioned in this Act against Persons keeping Ordinary or selling Liquors without License And it shall also be lawful for the Justices to refuse granting such Person License for that Year and if they shall think fit to grant the same at any Court thereafter the said Ordinary Keeper shall pay the full annual Charge for such License

[And to be
renewed at
every August
Court, under
Penalty, &c.]

Provided that any Person not having before had a License to keep Ordinary may at any Court other than August Court have License granted if the Justices see fit to continue no longer than the August Court following when it shall determine and may be renewed; for taking which License the Ordinary Keeper shall pay only in Proportion to the Time between his taking such License and the August Court aforesaid

[Proviso]

And be it further Enacted that every Person taking Ordinary License as aforesaid shall at the Time of having such License granted Pay to the Sheriff of the County where such Person shall inhabit the fine or sum to be paid for an Ordinary License before mentioned which the Sheriffs respectively are hereby required and obliged by Virtue of their Office to receive and also to Collect and receive all Fines and forfeitures arising on the Breach of any Part of this Act And the Clerk of each respective County shall keep a true and exact Entry of all Ordinary Keepers to whom such Licenses are granted and of all fines and forfeitures relating thereto and on or before the fifteenth Day of October Yearly shall return to the Treasurers of the Western or Eastern Shores respectively where the said Clerks shall officiate a true List of all Ordinary Keepers in their respective Counties Licensed as aforesaid and also of all Fines and Forfeitures happening in that Year under this Act

[The Sheriffs
to receive all
Sums paid
for Ordinary
Licenses
Fines, &c.
under this
Act, and the
County
Clerks to
return true
Lists thereof,
to the Treasurers
of the
Respective
Shores]

And be it further Enacted that the Justices of the several County Courts shall at their respective County Courts in the Month of August Yearly or oftener as they shall think fit set and assess in Current Money the Rates and Prices of all Liquors and other

[The Justices every
August to fix
the rates of
Liquors &c.]

Liber H. S. Accomodations whatsoever by Ordinary Keepers to be vended for
 No. 1 the Year ensuing which Rates and Prices of all Liquors and other
 Accomodations so to be set and assessed by the Justices aforesaid
 shall be by their several and respective Clerks transcribed and set up
 in some Publick place in their respective County Court House that
 every Person may Peruse the same a Copy of which Rates every
 Ordinary Keeper within each County is hereby obliged to keep and
 set up in the most Publick and Convenient Place of his House for
 the Perusal of all Persons whatsoever under the Penalty of four
 Pounds Current Money And every Ordinary Keeper who shall
 directly or indirectly demand or receive for any such Liquors or
 other Accomodations more than the Rates or Prices so assessed
 shall for every such Demand or Receipt forfeit and pay forty
 shillings Current Money And in Case any suit is brought by any
 Ordinary Keeper on any Account wherein any Liquors or other
 Accomodations are charged higher than the Rates aforesaid such
 Ordinary Keeper shall be Nonsuit and pay the Defendant his full
 Costs and for every such Account paid and Satisfied to any Ordinary
 Keeper he shall on Complaint by the Party injured to a single
 Magistrate or County Court be in a Summary way Ordered and
 compelled by such Magistrate or County Court to restore to the
 Party injured the whole sum so before had and received on such
 Account with his Cost on such Complaint

[Ordinary
 Keepers
 demanding
 more, to
 forfeit 40 s.
 even in Case
 of suit, to
 pay costs
 &c.]

p. 715

[Sufficient
 Beds, Stab-
 ling, &c. to
 be provided,
 under a
 Penalty of
 10 l.]

And be it further Enacted That every Ordinary Keeper to be
 licensed as aforesaid shall within two Months after obtaining License
 be obliged to provide and maintain (if such Ordinary be kept at
 the Court House in any County) Six good Feather Beds more than
 sufficient for the Private Use of such Ordinary Keepers with Suffi-
 cient Covering for the same and Indian Corn Oats Hay Straw and
 Stabling for ten Horses at least And if at any place in the County
 other than the Court House three Spare Beds with Covering and
 Sufficient Stabling and Provender for Six Horses at least under
 the Penalty of Ten Pounds Current Money

[No. Ord-
 inary Keeper
 to hold any
 office &c.]

Provided always and be it Enacted that no Person so to be licensed
 shall during the Time of such his keeping Ordinary be a Delegate
 Justice of the Peace or other Officer of the Peace Attorney Deputy
 Commissary Clerk Sheriff Deputy Sheriff Vestry Man Church
 Warden or Jury Man or bear any other Publick Office or place
 of Trust within this Province nor shall any such License be granted
 to any Person other than the Master Principal or Head of the
 House in which such Ordinary shall be kept

[Disorderly
 Houses may
 be suspended,
 and after-
 wards sup-
 pressed]

And be it further Enacted That if any Ordinary Keeper shall
 keep a Disorderly House upon Complaint made thereof to the
 Justices of the County Court they are hereby authorized and required
 to Suppress such Ordinary and during the Recess of the Court upon
 Complaint made to any two Justices of the Peace or upon their own

Observation of such Misbehaviour contrary to the Directions of this Act it shall be lawful for them to suspend such Ordinary Keeper until the next County Court who may hear and finally determine the Matter and either entirely suppress or Permit the Continuance of such Ordinary

Liber H. S.
No. 1

And be it further Enacted That if any Person so suspended shall presume during such Suspension to keep Ordinary such Person shall incur the same Penalty and forfeiture as Persons keeping Ordinary without License are subject to by this Act.

[Persons suspended not to keep Ordinary under Penalty]

And be it further Enacted That any Keeper of an Ordinary which shall be so suppressed or other Person that shall Presume to keep Ordinary without License first Obtained as aforesaid shall for every Month he or she shall so keep Ordinary forfeit and Pay ten Pounds Current Money and so proportionably for a longer or shorter Time

[If suppressed, &c. and continuing so to do, to forfeit 10 l. per month]

And be it further Enacted That every licensed Ordinary-Keeper shall sell only by Sealed Measures except Bottled Cyder, Perry, Quince Drink and Strong Beer of the Produce of this Province and such Liquors as shall come into this Province in Bottles And that any Ordinary Keeper who shall neglect to keep a Sealed Quart half Pint and Gill Measure and shall refuse or neglect to sell by the same as aforesaid shall forfeit any pay the sum of four Pounds Current Money

[To keep sealed measures, under the Penalty of 4 l.]

And be it likewise Enacted That from and after the first Day of September next any Person whatsoever not being licensed to keep Ordinary who shall presume to sell any Rum, Brandy, Cyder or other Spirituous Liquors mixed or unmixed and suffer any Part thereof to be drank in or about the House or Plantation of such Person or who shall sell any Spirituous Liquors as aforesaid at or near the Court House of any County in this Province or at or near the place of any Muster or Training of the Militia or on Board any Vessel within this Province and suffer the same to be drank in such Vessel except to Sailors or Persons belonging to or employed to labour on Board such Vessel such Person so Offending shall forfeit and pay thirty shillings Current Money for every such Offence

[Persons not licensed, and selling spirituous Liquors, after the 1st of Sept. if drank in, or near his House, &c. to forfeit 30 s.]

Provided always that nothing in this Act shall be construed to prohibit any Merchant or Person keeping Store for the Sale of Merchandize from retailing Liquors so as such Liquors be not drank in the House, Store or Place where the same shall be sold

[Merchants, not prevented, under a Restriction]

Provided also that nothing in this Act contained shall be construed to prohibit any Person or his Agent, Clerk or other Manager to dispose of any strong or Spirituous Liquors to Tradesmen Labourers or others hired or employed by such Person or his Agent Clerk or other Manager

[Proviso]
p. 716

And be it Enacted That from and after the said first Day of September next if any Person whatsoever shall make or hold what

[Persons after the 1st of Sept. making a Fair, and selling spirituous Liquors, forfeit 5 l.]

Liber H. S. is commonly called a Fair or shall set up any Money or other Thing
 No. 1 to be run for by any Horses Mares or Geldings or to be shot for or
 contended for in any Manner whatsoever and at the Place where
 such Fair is kept or held or where such Money or other Thing is so
 set up to be contended for shall sell or dispose of or cause to be sold
 or disposed of by any other Person for his or her Use any Quantity
 of Wine, Rum, Brandy, Cyder or other Spirituous Liquors mixed
 or unmixed such Person so Offending shall forfeit and pay five
 Pounds Current Money.

[Other Per- And be it further Enacted That if any Person other than the
 sons selling Person making such ffair or setting up such Money or other Thing
 spirituous to be contended for as aforesaid shall at any Place of meeting for
 Liquors at any of the Purposes aforesaid sell or dispose of any Wine, Brandy,
 such Fair, Cyder or other Strong Liquors mixed or unmixed such person so
 forfeit the like sum] Offending shall forfeit and pay five Pounds Current Money

[Proviso, Provided always that nothing in this Act contained shall extend
 with respect to Fairs or be construed to extend to Prohibit any Person from selling any
 established by Act of strong and Spirituous Liquors or any Mixture of the same at any
 Assembly Fair authorized and established by Act of Assembly of the Province
 &c. or when Charter or Bye Law of any Corporation or to prohibit any licensed
 a Race shall Ordinary Keeper for selling Strong and Spirituous Liquors or any
 be for more Mixture thereof at Horse Races for any sum of Money exceeding
 than 16 l.] sixteen Pounds Current Money

[None but Provided nevertheless and be it Enacted That it shall not be lawful
 licensed for any Person whatsoever other than a licensed Ordinary Keeper
 Ordinary- to sell or dispose of at any such last mentioned Horse Race any
 Keepers, to Wine, Rum, Brandy, Cyder or other Strong Liquors or any mixture
 sell at such Race, under thereof under pain of forfeiting for every Quantity of the same Sold
 Penalty of 30 s.] at one Time to one or more Persons thirty shillings Current Money

[or allowed And be it further Enacted That it shall not be lawful for any
 to set up Person except licensed Ordinary Keepers at the Time of Horse
 Booths, ex- Racing as aforesaid at any Time to set up or cause to be set up a
 cept at Fairs Booth or other Convenience on or near any publick Road or at any
 established other place except where Fairs established by Act of Assembly
 as above, Charter or Bye Law of any Corporation are held and sell or dispose
 under the of thereat any Wine, Rum, Brandy, Cyder or other Strong Liquors
 like Penalty] mixed or unmixed under the Penalty of thirty shillings Current
 Money for every Quantity sold at any one Time to one or more
 Persons

[Penalty on Provided always And be it Enacted That it shall not be lawful for
 Ordinary- any licensed Ordinary Keepers to sell or dispose of after Sun set at
 Keepers sell- the Time and place of Horse Racing aforesaid any such strong or
 ing after Spirituous Liquors or mixed Drink on Pain of forfeiting for every
 Sun set] such Offence five Pounds Current Money

[Licenses not And be it further Enacted That it shall not be lawful for the
 to be granted Justices of any County Court to grant a License to any Person to
 by the County
 Courts, until
 the Party
 enters into a
 Recog-
 nizance, &c.]

keep an Ordinary until such Person enter into a Recognizance in the Name of the Right Honourable the Lord Proprietary of this Province in the sum of forty Pounds Current Money with two sufficient Sureties conditioned that if the Person so obtaining such License shall keep good Rules and Orders and not suffer loose idle or disorderly Persons to tittle, game, or commit any Disorders or other Irregularities in such Ordinary and shall also well and truly observe, perform, fulfil and keep the several Matters and Things in this Act particularly specified and in every Respect conform himself thereto then the said Recognizance to be void otherwise of force For which said Licenses and Recognizances a Copy of the Rates of Liquors and other Accomodations every Ordinary Keeper shall pay to the Clerk of each respective County Court the sum of four shillings Current Money and no more

Liber H. S.
No. 1

And be it Enacted that no Ordinary Keeper shall presume to entertain any Sailor or Sailors or other Person employed in loading of Ships or Vessels (the Master and Mate excepted) to the Neglect of their Business under the Pain of Suspension nor shall credit any such Sailor for more than four shillings during any one Voyage under the Penalty of losing his Debt and being fined twenty shillings Current Money

[Clerk's fees
for his
Services]

[Sailors not
to be enter-
tained, under
Suspension,
&c. under
pain of sus-
pension]
p. 717

And be it further Enacted That if any Ordinary Keeper shall harbour entertain or sell any Liquor to any Indented Apprentice or Apprentice bound out by any County Court of this Province or any bought indented or convicted Servant or any Slave belonging to or employed by any Person or Persons within this Province without Leave or License in Writing first had and obtained from the respective Master Mistress or Owner of such Apprentice Servant or Slave such Ordinary Keeper shall for every such Offence forfeit and pay twenty shillings to the Master or Mistress of such Apprentice Servant or Slave to be recovered with Costs upon Complaint of the said Master or Mistress before a Justice of the County where such Ordinary Keeper lives

[Ordinary-
Keepers,
entertaining
Apprentices
Servants, or
slaves, with-
out leave
from their
Masters &c.
to forfeit
20 s. recov-
erable before
a single
Magistrate]

And Whereas it is a general Complaint throughout this Province That Ordinary Keepers have made it their frequent Practice to game in their own Houses and to entertain Tradesmen and other Persons having Families and no visible means of subsistence but by their own Labour and Industry and single disorderly Persons tipling and gaming in their Houses to the wasting their Time and Ruin of themselves and families and to the evil Example of others For Prevention of such Evils for the future

Be it Enacted that no Person licensed to keep Ordinary shall game in his own House under the Penalty of ten Pounds Current Money for every such Offence or shall suffer any Tradesmen or other Person having a family and no visible Estate or other Means of Support than his own Labour and Industry or any single Person not having a

[Ordinary
Keepers not
to game in
their own
Houses,
under the
Penalty of
10 l. nor
suffer trades-
men to tittle
on Pain of
losing their
debt]

Liber H. S. Visible Estate sufficient to support him without Labour to tittle or
No. 1 game in such Ordinary on pain of not being paid for any Liquor or
other Accomodations which such Ordinary Keeper shall supply such
Person with or which shall be lost by any such Person at any Game.

[Proviso] Provided always That no Ordinary Keeper shall be restrained
from supplying any of the Persons herein before mentioned with
Victuals or Liquors in moderate and necessary Quantities so as no
Ordinary Keeper shall trust any such Person for more than four
shillings or the Value thereof in any one Year

[Travellers may be supplied with all necessities] And Provided also that no Ordinary Keeper shall be hindred or
restrained from selling to or supplying Persons travelling upon their
necessary Occasions so far distant from their own Habitations as
may render it impracticable or inconvenient to repair thither and
such Persons as may happen to be confined in such Ordinary by Sick-
ness severity of Weather or other accident with Diet and other neces-
sary Accomodations altho the same shall amount unto more than
the sum of four shillings aforesaid

[Courts and Juries to enquire into Actions brought before them; and if the Debts sued for, were contracted contrary to this Act, the Plaintiff to be non-suit] And be it Enacted That in any Action in a Court of Justice or Dis-
pute before a single Magistrate between any Ordinary Keeper and any
Person in this Act described such Court and the Jury in any Trial
by a Jury or single Magistrate shall by Virtue of this Act consider
and enquire whether any Debt so sued for or claimed was contracted
contrary to the true Intent and meaning of this Act And it shall
appear to such Court and Jury or Magistrate that such Debt was
contracted contrary to this Act that then the Plaintiff shall be Nonsuit
and the Defendant recover his Cost of Suit and that in Case any
Action or Demand shall be brought on any Obligation under the
Hand and Seal of any such Person or upon any Note or Writing
under the Hand only of the Defendant or Debtor or if any such
Obligation Note or Writing shall be given in Evidence to sup-
port such Action or Demand it shall and may be lawful for the
Defendant or Debtor in every such Action or Demand to plead the
General Issue and that then and in every such Case Action or
Demand it shall be incumbent on the Plaintiff to prove for what
Consideration such Obligation Note or Writing was passed And if
such Plaintiff does not prove the same to have been passed for some
other Consideration than for Liquors or other Accomodations sold
or lost as aforesaid or prove that such Liquors Accomodations were
absolutely necessary and not sold or furnished contrary to the true
Intent and meaning of this Act the Plaintiff shall be Non suit and
the Dependant shall recover his Cost of Suit

[Debts for Liquor or Gaming, not recoverable] And be it further Enacted That if it shall appear to any Court
or Magistrate that any part of any Account to be sued for or de-
manded or any Part of the Consideration for which any Obligation
or Note shall be taken or passed shall be for Liquors or Accomoda-
tions supplied or sold or any Tobacco Money or Liquor won at

Gaming contrary to this Act then and in every such Case the Plaintiff shall recover only what shall appear to be due exclusive of any Liquor or other Accomodations supplied or provided contrary to this Act and the Defendant shall be discharged from the residue and recover his full Cost of Suit Any Law Usage or Custom to the Contrary notwithstanding

Liber H. S.
No. 1

And be it further Enacted That all Mortgages Obligations or other Securities which shall be taken in Trust for any Ordinary Keeper shall be absolutely void unless such Mortgage Obligation or other Security shall be Assigned or transferred to any other Person being a Stranger to such Trust for a valuable Consideration and in Case of such Assignment or Transfer that such Trustee shall forfeit and pay double the Principal Sum mentioned in such Mortgage Obligation or other Security

[Obligations taken in Trust, for Ordinary Keepers, to be void]

And be it further Enacted That an Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis the twenty Eighth Day of October one thousand seven hundred and twelve Entitled An Act restraining Victuallers and Keepers of Public Houses from entertaining of Sailors to the Prejudice of Trade and Commerce be and is hereby repealed

[An Act made in 1712, Repealed]

Provided also and be it Enacted That it shall and may be lawful for the Justices of Ann Arundel, Kent Baltimore and Frederick County Courts respectively to license any Person within the City of Annapolis, Chester Town, Baltimore Town or Frederick Town to keep one Coffee House within the said City and each of the said Towns for the Entertainment of Company and that such Person so licensed as aforesaid shall not be obliged to find and provide Beds for lodging Company or Stabling and Provender for Horses Any Thing herein before contained to the Contrary thereof in any wise notwithstanding

[Four Coffee-Houses may be licensed, and the owners not obliged to provide Beds or Stabling]

And be it further Enacted That in all Cases where no different Mode of Recovery or Application is appointed by this Act all and every Time and Forfeiture imposed by this Act shall and may be recovered in manner following to wit Where the Sum doth not exceed fifty shillings Current Money the same shall and may be recovered on the Application or Information of any Person or Persons whatsoever before any one Justice of the Peace as in the Case of small Debts with Costs and where the Sum exceeds fifty shillings Current Money the same shall and may be recovered in any Court of Record by Action of Debt Bill of Indictment or Information with Costs by him her or them who will sue or prosecute to Effect for the same and that one half of all Fines and Forfeitures to be incurred for any Breach of this Act where the same is not otherwise given or applied shall be to him her or them who will Sue or prosecute to Effect for the same and the other half thereof shall be paid to the Sheriff of the County in which the Recovery shall happen

[When the mode of Recovery is not pointed out by this Act, and the Debt does not exceed 50 s. to be recoverable before a single magistrate; if a greater sum, in any Court of Record]

[Fines and forfeitures, how to be disposed of]

Liber H. S.

No. 1
[Sheriffs
to pay
annually, all
the Money
received by
this Act, to
the Treasurers,
to be by them
Accounted
for to the
General
Assembly,
deducting
their Com-
missions]
[Continu-
ance]

And be it further Enacted that the several Sheriffs aforesaid shall be allowed at and after the Rate of five per Cent on all Monies by them respectively received in Virtue of this Act and the said Sheriffs shall Yearly and every Year on or before the twentieth Day of October pay all the Monies by them received in Virtue of this Act except their Commission aforesaid into the Hands of the Treasurers of the respective Shores where received to be by the said Treasurers from Time to Time accounted for to the General Assembly deducting therefrom five per Cent for their Salaries and by the said Assembly to be disposed of towards the defraying of the Public Charge of this Province. This Act to Continue for and during the Space of three Years and to the End of the next Session of Assembly which shall happen after the Expiration of the said three Years

By the Lower House of
Assembly 21st June 1768.
Read and Assented to
Sign'd by Order
T: Wright Cl: Lo: Ho:

On Behalf of the right
Honble the Lord Pro-
prietary of this Province
I Will this be a Law
Hor^o Sharpe

By the Upper House of
Assembly 21st June 1768
Read and Assented to
Signed by Order
U Scott Cl. Up. Ho.

the Great Seal
in Wax Append.^t

N.^o 28 An Act for amending and declaring the Law in the Cases therein
p. 719 mentioned

[Preamble] Whereas by the Act entituled An Act causing Grand and Petit Jurors to come to the Provincial and County Courts and ascertaining their Allowances it is amongst other Things provided That the Jurors to be summoned by Virtue of that Act to the Provincial and County Courts shall be of the best and most understanding Freeholders of their several and respective Counties and that no Person having any Matter of Fact depending for Trial in any Court whatsoever shall be admitted as a qualified Juror between Party and Party during the sitting of such Court that such Matter of Fact shall be or shall be expected to be tried in

[No verdict in the future to be set aside, when any Juror, who tried the Cause, was not a Freeholder, &c.] Be it Enacted and declared by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That no Verdict of a Jury shall hereafter be set aside nor Judgment on any Verdict staid arrested or reversed by Reason that any Juror who tried the Cause was not a Freeholder or by Reason that any such Juror had a Matter of Fact depending for Tryal as aforesaid

[Proviso] Provided nevertheless that it shall and may be lawful to and for the Plaintiff and Defendant in any Cause to be tried in any of the said Courts to challenge any Juror for Want of Freehold or by Reason that such Juror hath a Matter of fact depending for Trial

as aforesaid and that the Want of Freehold or the having a Matter of fact depending for Trial as aforesaid shall be held and allowed to be a good Cause of Challenge to any such Juror

Liber H. S.
No. 1

And Whereas it hath been doubted of what Value the Freehold in the said recited Act mentioned ought to be

It is hereby Enacted That no Juror shall be received as a qualified Juror in any Court within this Province (the Mayors Court of the City of Annapolis excepted) unless such Juror shall have an Estate of Freehold at the least in his own Right or in Right of his Wife in fifty Acres of Land or upwards or an Estate of Freehold as aforesaid of the full Value of fifty Pounds Sterling at the least if the Plaintiff or Defendant will challenge any Juror for Want of such Freehold

[Jurors may be charged as unqualified, not having a Freehold of 50 Acres of Land, or of the full value of 50 l. Sterling]

And be it further Enacted That instead of the Form of Recognizance of Bail prescribed by the Act entituled An Act for taking Special Bail in the several Counties in this Province upon Actions or Suits depending in his Majesty's Provincial Court and in the several County Courts of this Province the following Form shall be observed and used in all Actions to be commenced from and after the third Tuesday in October next that is to say John Doe Plaintiff against Richard Roe Defendant You A. B. and C. D. do jointly and severally acknowledge yourselves Special Bail for the said Richard Roe at the Suit of the said John Doe in an Action of Debt brought by the said John Doe against the said Richard Roe in the Provincial Court. They acknowledge themselves to be content therewith this

[Form of Recognizance of Bail to be observed, instead of one prescribed by a former Act]

Day of Before To the Honourable the Justices of the Provincial Court, varying nevertheless the said Form according as the Nature of the Action may require And that the said Recognizance shall have the same Force and Effect as any Recognizance of Bail acknowledged and taken in open Court

And be it further Enacted That the Justice or Justices by and before whom any such Recognizance of Bail shall be taken and acknowledged shall and they are hereby required carefully to examine into the Circumstances and Sufficiency of the Bail so to be taken as aforesaid and to be careful that they do not take any Recognizance of Bail of Persons that shall not appear to them to have sufficient Estate within this Province to answer the same at the Time of taking and acknowledging thereof

[The Justice, or Justices, before whom it shall be taken, to examine into the Circumstances of the Bail, that they be of sufficient Estate, &c.]

Provided that nothing herein shall be construed to abridge or take away the Power of the Justices of the Provincial or County Courts within this Province to make Rules and Orders for the justifying Bails and making the same absolute or to examine the Sureties upon Oath touching the Value of their Estates as by the said recited Act they are required to do.

[Any Judgment hereafter to be rendered upon any Recognizance of Bail, the Plaintiff may issue Execution &c.]
p. 720

And be it also Enacted That upon any Judgment hereafter to be rendered upon any Recognizance of Bail it shall and may be lawful for the Plaintiff or Plaintiffs therein to issue Execution against the

Liber H. S. Body Goods or Chattles Lands or Tenements of the Defendant as
 No. 1 if the said Judgment were for his own proper Debt Any Law Usage
 or Custom to the Contrary thereof in any wise notwithstanding

And be it Enacted and declared that Execution may be issued on
 [Judgments, any Judgment rendered or to be rendered in the Provincial Court
 rendered or in any County Court of this Province with Stay of Execution at
 with Stay, if entered any Time within twelve Months next after the Expiration of such
 the same Stay provided that the Stay of Execution be entered upon the Clerk
 Court, on of the Court his Docket at the same Court when the Judgment shall
 the Clerk's be rendered; and also after the Dissolution of any Injunction of or
 Docket, Execution may issue from the Court of Chancery or the Discharge or Expiration of any
 Execution at any Time Supersedeas on Appeal or any Writ of Error at any Time within
 may issue within twelve Months after Dissolution of such Injunction or Discharge or
 at any Time twelve Months after Expiration of such Supersedeas
 within twelve Months after the Expiration of such
 Twelve Months after the Expiration of such
 Stay, &c.]

And be it further Enacted That if any Cause instituted or here-
 after to be instituted in any of the Courts of this Province shall by
 [Causes referred by Rule of Court &c.] Rule of Court and by the Consent and Agreement of the Parties
 thereto be submitted and referred to the Award and Arbitrament
 of any Person or Persons it shall and may be lawful to and for
 Judgment to be entered on such Court to give Judgment upon the Award of the Person or
 the Award, Persons to whom such Submission and Reference shall be made as
 and Execution may be issued of the Court to which such Award shall be returned and to award
 thereon, &c.] Execution thereon in the same Manner as they might do upon
 Verdict Confession or Non suit and that such Judgment shall have
 the same Effect to every Intent and Purpose as any Judgment upon
 Verdict or Confession would have

[Proviso] Provided always that such Award shall remain seven Days in
 the Provincial Court during their Sitting if returned to the Pro-
 vincial Court or three Days in the respective County Courts during
 their Sitting if returned to any County Court after the Return
 thereof before any such Judgment shall be entered up and if it shall
 appear to the Justices of the Court to which any such Award shall
 be returned within the respective Times aforesaid that the same
 was obtained by fraud or Malpractice in or by Surprize Imposition
 or Deception of the Arbitrators or without due Notice to the Parties
 or their Attorney or Attorneys it shall and may be lawful for the
 said Court to set aside such Award and refuse to give Judgment
 thereon

[Goods and Chattels distrained by the Sheriff, for Public Levies, &c. if replevied, and the Person shall afterwards be Non-Suit, &c. he shall Pay the sum for which such Distress was made, and Costs of Suit] And be it further Enacted That if any Person or Persons whose
 Goods and Chattles shall hereafter be distrained by any Sheriff
 within this Province for Public or County Levies Clergys Allow-
 ances or Dues Parochial Charges Officers or Attorneys Fees shall
 replevy such Goods and Chattles or any of them and shall after-
 wards be Non suit or discontinue his her or their Suit or have Judg-
 ment rendered therein against him her or them upon Verdict or
 Demurrer such Person or Persons shall pay to the Sheriff the sum
 for which such Distress shall be taken and Costs of Suit to be

determined and adjudged by the Court wherein such suit shall be and Execution therefore may and shall be made by Capias ad satisfaciendum fieri facias or otherwise as of Judgment in any Action of Debt

Liber H. S.
No. 1

And be it further Enacted That if any Writ of Certiorari shall be hereafter issued out of the Provincial Court to remove any Cause depending in any County Court within this Province if upon the Return of such Writ and the Record certified into the said Provincial Court it shall appear to the Justices of the same Court that the original Debt or Damages do not exceed the Value of twenty Pounds Sterling or five thousand Pounds of Tobacco or where the Action shall be brought upon a Bond or other Specialty for the payment of Money or Tobacco or Payment or Performance of any Bill of Exchange protested it shall appear to the said Justices that the Principal sum mentioned in such Specialty or Condition thereof or due on such Bill of Exchange protested doth not exceed the Value of twenty Pounds Sterling or five thousand Pounds of Tobacco it shall and may be lawful for the said Justices of the Provincial Court upon the Prayer of the Defendant in such Cause to award a Procedendo on such Writ of Certiorari Any Law Usage or Custom to the Contrary notwithstanding

[Causes removed from the County Court, by Writ, to the Provincial, where the Debt does not exceed 20 l. Sterling &c. The Justices on Prayer of the Defendant, may Award a Procedendo, on such writ] p. 721

And be it further Enacted That in all Cases whatsoever where Judgments have been entered agreeable to Awards heretofore made the same shall be deemed and taken to be good and valid and as effectual in Law to all Intents and Purposes as if the same Judgment had been rendered upon Verdict or Confession

[Judgments entered on Awards, to be good and valid]

Provided always That nothing in this Act contained shall extend or be construed to extend to establish or in any Manner affect any Judgment that hath been entered on which any Writ of Error or Appeal hath been prosecuted or is now depending but that such Judgment shall be considered in all Respects as if this Act had not been made or be construed to affect any Person or Persons that hath or have Purchased any Lands Tenements or Hereditaments bona fide and on good and valuable Consideration but that such Purchases or Purchasers shall be and remain in the same State Right and Condition as if this Act had not passed.

[Proviso]

This Act to continue for and during the Space of three Years and to the End of the next Session of Assembly which shall happen after the Expiration of the said three Years

[Continuance]

By the Lower House of
Assembly 21st June 1768
Read and Assented to
Signed by Order
T. Wright Cl. Lo: Ho:

On Behalf of the right
Honble the Lord Proprietary of this Province
I Will this be a Law
Hor^o Sharpe

By the Upper House of
Assembly 21st June 1768
Read and Assented to
Signed by Order
U Scott Cl. Up. Ho.

the Great Seal
in Wax Appendant

N.^o 29: An Act for the Relief of the Poor within the several Counties therein
 Liber H. S. mentioned

No. 1
 [Preamble]

Whereas the Necessity Number and continual Increase of the Poor within this Province is very great and exceedingly burthen-some which might be greatly lessened by a due Regulation and Employment of them

[Alms, and
 Work-
 Houses to be
 erected
 in particular
 Counties, for
 which the
 Justices are
 to assess a
 Quantity, not
 exceeding
 15 lb. of
 Tobacco per
 poll, in the
 Years 1768,
 1769 & 1770,
 together with
 the Sheriff's
 salary of 5
 per cent. for
 Collection]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the upper and lower Houses of Assembly and the Authority of the same That there shall be an Alms and Work-House erected built and set up in the several Counties herein after named at convenient places therein at the general Charge and Expence of the respective Counties where the said Alms and Work-Houses shall be erected and built And that the Justices of the said County Courts respectively for the Time being shall and they are hereby authorized and impowered to assess and levy on the taxable Inhabitants of each County at the Time of laying their respective County Levy a Quantity not exceeding fifteen Pounds of Tobacco by the Poll on each and every the taxable Inhabitants of their said Counties in each of the Years of our Lord seventeen hundred and sixty eight seventeen hundred and sixty nine and seventeen hundred and seventy together with the Sheriffs Salary of five per Cent for collecting the same which said Assessments so as aforesaid to be made and levied shall be collected by the several and respective Sheriffs of the said Counties from the several taxable Persons who shall reside within the same in the same Manner as the publick and County levies are collected And the said Tobacco when so as aforesaid collected shall be paid by such Sheriffs respectively to such Trustees for the Poor or the major Part of them as are by this Act appointed who are hereby authorized and required to receive and apply the same to the Uses and Purposes herein after directed

p. 722

[To be paid
 to Trustees]

[Which may
 be dis-
 charged by
 the In-
 habitants, in
 Money, &c]

Provided always and be it Enacted That it shall and may be lawful for the several and respective taxable Inhabitants within every of the said Counties to pay and discharge the said several Assessments in Money in the same Manner as they are enabled to pay and discharge the publick or County Levy

[Five Per-
 sons in each
 County,
 appointed
 Trustees for
 the Poor]

And be it further Enacted That for the Time being the five several Persons hereafter named for each County be and are hereby nominated appointed and named Trustees for the Poor within their several and respective Counties and are impowered with full and sufficient Authority for discharging the several Offices Duties and Trusts reposed in and required of them by this Act within the several and respective Counties wherein they reside that is to say for Ann Arundel County Mess.^{rs} Brice Thomas Beale Worthington Thomas Dorsey Nicholas Worthington Lancelot Jacques and Upton Scott for Prince Georges County Mess.^{rs} John Baynes William Bowie

Richard Duckett John Fendall Beall and Nathaniel Magruder for Worcester County Mess.^{rs} Parker Selby George Hayward Peter Chaille Lemuel Purnell and William Whittington for Frederick County Mess.^{rs} Jonathan Willson Upton Sheredine Thomas Bowles Charles Beatty and William Beatty for Charles County Mess.^{rs} Samuel Hanson Jun.^r Robert Mastin John Hanson Thomas McPher-son and Henry Smith Hawkins the which Persons so nominated appointed authorized and named for the several and respective Counties as aforesaid or the major part of them in Case of the Death or Absence of any are hereby required with all convenient Speed to meet at such Places within their Counties as to them shall seem meet to qualify themselves for the Office of Trustees for the Poor of their several and respective Counties which they are to do by taking the several Oaths appointed by Law to be taken to the Government signing the Oath of Abjuration and repeating and signing the Test and also taking the following Oath to wit "I A B. do swear That I will duly and faithfully discharge the Duties and Trusts committed to me as a Trustee for the Poor for _____ County according to the best of my Skill and Knowledge and An Act of Assembly intituled An Act for the Relief of the Poor within the several Counties therein mentioned. So help me God" The which Oaths are to be administred by any of the four Persons last named for the County to the Person first named or in his Absence to any one of the three Persons first named that shall be there present the which Person being sworn as aforesaid shall administer the Oaths aforementioned to all the rest. and so successively the Person first named that shall be present shall always administer the said Oaths to any that have been Absent or shall hereafter be elected and chosen pursuant to the Directions of this Act to supply the Place of any that shall be dead or removed out of the Counties or of any who shall refuse or neglect to qualify and Act as a Trustees when elected and chosen pursuant to the Directions of this Act And the aforesaid Persons or the Major Part of them being sworn as aforesaid shall be constituted and qualified as Trustees for the Poor of their said County and as such are hereby invested with full Power and Authority as a Body Publick to plead and be impleaded to sue and be sued to defend and be defended to answer and be answered by the Name of the Trustees for the Poor in all and every Cause Complaint and Action real personal or mixt of whatsoever Kind or Nature it shall be in any of the Courts of Judicature within this Province and by that Name they and any of them and their Successors shall and they are hereby enabled to take hold possess and enjoy any Gift Donation or Present which shall or may hereafter be given devised or bequeathed by any Person or Persons whatsoever to them or any of them for or towards the Support and Maintenance of the Poor in any of the Counties aforesaid And they or any of them may receive by Way of Subscription any Sum or Sums of Money which

Liber H. S.
No. 1

[To Qualify
as Trustees
for the Poor,
by taking the
Oaths to the
Govern-
ment, and
Oath of
Office]

[Mode of
Qualifica-
tion]

[Invested
with Power
and Author-
ity as a Body
Politick]

p. 723

Liber H. S. shall or may be given for the better and more speedy promoting the
 No. 1 Benefit and Good by this Act intended And that they have full
 Power Authority lawful Capacity and Ability to Purchase take hold
 receive enjoy and have to them and their Successors for ever any
 Lands Tenements and Hereditaments not exceeding the Yearly
 Value of one thousand Pounds of any Person or Persons what-

[and to use
 a Common
 Seal in their
 business &c.] soever and are hereby impowered and authorized to use one Com-
 mon Seal in their Business relating to the said Corporation and the
 same at their pleasure to change and alter And that the said Persons
 so incorporated the longest Livers and Successors of them shall be
 the true sole and undoubted Trustees in perpetual Succession for

[and to make
 Laws &c. for
 the better
 Relief of the
 Poor, and
 Punishing
 Vagrants,
 &c.] ever to be continued in Way and Manner hereafter specified with
 full and absolute Power Liberty and Authority in the making and
 ordaining such Laws Orders and Rules for the better relieving
 regulating and setting the Poor to Work and punishing Vagrants
 Beggars Vagabonds and other Offenders and for the Good Govern-
 ment of the said Alms and Work-House in their respective Counties
 as to them and their Successors shall from Time to Time seem
 most fit and requisite all which shall be observed by the Overseer of
 such Alms and Work-House and by all Poor, Beggars, Vagrants
 Vagabonds and other Offenders in such Alms and Work House
 under the Penalties therein contained

[Proviso] Provided always that the said Rules Laws and Orders be no wise
 contrary to the Laws of this Province And to perpetuate the Suc-
 cession of the aforementioned Number of five Trustees for the
 Poor in each of the said Counties.

[In case of
 Death or
 Removal of
 any of the
 said Trus-
 tees, the
 Survivors to
 nominate
 others &c.] Be it Enacted That as often as any one or more of the said
 Trustees for the Poor shall die or remove himself out of his County
 that then and so often the Trustees for the Time being then surviv-
 ing and remaining within the said County or the major Part of them
 be and are hereby authorized and required to elect nominate and
 chuse one or more of the principal and better sort of the Inhabitants
 of the County not being related in Blood to any other of the then
 Trustees into the place and Room of the said Trustee so dead or
 removed and so to fill up the full Number of Trustees for each Alms
 and Work-House the which Persons so elected and chosen from
 Time to Time are always to be qualified in the same Manner as
 before by this Act is directed

[Trustees
 appointed for
 the Poor,
 and refusing
 to Act,
 forfeit 10 l.] And be it further Enacted That every Person by this Act appointed
 as a Trustee for the Poor or that shall hereafter be nominated and
 appointed as such pursuant to the Directions hereof and who shall
 wilfully refuse or delay to take upon him the said Office shall forfeit
 and pay for every such Refusal or Delay the sum of ten Pounds
 Current Money

[Proviso] Provided that no Member of the upper or lower House of As-
 sembly Clergyman Attorney or practising Physician be obliged to

accept of the Office of Trustee aforesaid or forfeit as aforesaid for refusing to accept and take upon him the same and that no Provincial or County Magistrate or Sheriff or any one who hath not the Qualification to be a Member of the lower House of Assembly if elected shall be capable to be chosen or Act as a Trustee aforesaid nor shall any Person be compellable to serve in less than three Years after he hath served or paid the said Forfeiture for not serving as a Trustee aforesaid

And for enabling the said Trustees to Purchase Land and erect an Alms and Work-House in each of the said Counties

Be it Enacted That the said Trustees or the major Part of them be and they are hereby authorized and impowered from Time to Time as Occasion shall require to draw upon the several and respective Sheriffs of the several Counties aforesaid in whose Hands the Tobacco aforesaid so as aforesaid to be assessed and levied or such Part thereof as shall by Virtue of this Act be so Assessed and levied shall remain for so much of the said Tobacco as the said Trustees or the major part of them shall from Time to Time think it necessary to draw for, for the Uses and Purposes directed by this Act

And be it further Enacted That the said Trustees or the major Part of them appointed as aforesaid shall and they are hereby authorized directed and required to buy and purchase in fee a Quantity of Land in each County not exceeding one hundred Acres. And the said Trustees or the major Part of them appointed as aforesaid are hereby authorized directed and required to agree and contract with a Workman or Workmen to undertake erect build and in a Workman like Manner to compleat and finish on the said Land when so purchased good strong sufficient and convenient Houses Habitations and Dwellings for the Reception of the Poor of each County and of such Vagrants, Beggars, Vagabonds and other Offenders as shall be committed by Virtue of this Act and they shall appropriate one Part thereof to be called the Alms House to and for the Reception and Lodging of the Poor of the said County and another Part or parts thereof to be called the Work House to and for the Reception and Lodging of all such Vagrants Beggars Vagabonds and other Offenders as shall be committed by Virtue of this Act. And the aforesaid Land when bought and the aforesaid Houses Habitations and Dwellings when built shall be and they are hereby enacted and declared to be vested in the said Trustees of that County where the same shall be bought erected and built upon by Virtue of this Act as their Estate and Inheritance for the Uses and Purposes by this Act directed and expressed

And be it further Enacted That the said Trustees or the major Part of them appointed as aforesaid shall and they are hereby authorized directed and required after the Houses Habitations and Dwellings aforesaid shall be compleatly erected and finished to buy and

Liber H. S.
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[Trustees, to draw on the Sheriffs, to enable them to purchase Land, and erect Alms, and Work-Houses]

p. 724
[Not more than 100 Acres of Land in each County, to be purchased, on which, convenient Houses to be built, and the Trustees to Contract with Workmen to complete the same: Part of which to be called the Alms-House, for the Use of the Poor, and the other Part, the Work-House, for the Reception of Vagrants, &c.]
[The Trustees, after the Houses shall be finished, to purchase Beds, working-Tools &c., and to purchase Land convenient to the principal Town, or Court House, of each County; and also to return a fair account to the Justices of every November Court, to be by them examined]

Liber H. S.
No. 1

Purchase for the use and Employment of the Poor, Vagrants, Beggars, Vagabonds and other Offenders who shall be committed by Virtue of this Act sufficient Beds Bedding Working Tools Kitchen Utensils Cows Horses and other Necessaries And the said Trustees are hereby directed and required to purchase the said Quantity of Land not exceeding one hundred Acres as near and convenient as may be to the principal Towns in each County or in those Counties where no such Towns are as near and convenient as may be to the several and respective Court Houses of each County: And the said Trustees are hereby obliged directed and required to keep a fair distinct and clear Account in Writing of all the Monies by them expended and paid by Virtue of this Act and to return a true Copy thereof and shew and produce the Vouchers to support the same to the Justices of the several Counties aforesaid at their respective November Courts to be by the said Justices inspected and examined

[The Justices of the Counties aforesaid to assess in 1771, A Quantity not exceeding 15 lb. per Poll, &c. to be paid to the Order of the Trustees &c. to be applied to the use of the Poor.]

p. 725

And be it further Enacted That after the Expiration of the said three Years the Justices of the several County Courts aforesaid respectively for the Time being shall and they are hereby empowered to assess and levy on the taxable Inhabitants of each of their said Counties at the Time of laying their County Levies in the Year seventeen hundred and seventy one a Quantity of Tobacco not exceeding fifteen Pounds by the Poll on each and every of the taxable Inhabitants in each of their said Counties together with the Sheriffs Salary of five per Cent for collecting the same which said Assessment shall be made levied collected and paid in the same Manner as herein before by this Act is directed which said Tobacco when so as aforesaid collected shall be paid by such Sheriffs respectively to the Order of such Trustees or the major part of them under their common Seal who are hereby authorized and required to receive and apply the same to and for the Use Benefit and Charge of maintaining the Poor, Vagrants, Beggars, Vagabonds and other Offenders in the purchasing Provisions and other Necessaries for Use and Labour in paying a Doctor for his Salary and Medicines in providing Men and Women Servants to be under the Management and Direction of an Overseer of such Alms and Work House hereafter to be appointed and in purchasing Materials for the Use and Employment of all the Poor and all Beggars Vagrants Vagabonds and other Offenders who shall be able to work and who shall be committed by Virtue of this Act

[Trustees to meet on the 1st Monday of May, Yearly, to appoint Overseers of the Alms, and Work-Houses &c.]

And be it further Enacted That the said Trustees or the major Part of them shall and they are hereby authorized obliged directed and enjoined to meet together on the first Monday of May Yearly and at all such other Times as they shall judge necessary at the respective Alms and Work House in each County during the Continuance of this Act to appoint a fit Person of each County to be Overseer of the Alms and Work House in each several and respec-

tive County and other proper Officers and Servants as to them shall appear necessary for carrying on the Business of the said Corporation and they or the major Part of them shall and may agree and they are hereby empowered to pay the said Overseer as a Salary out of the Tobacco and Money raised and collected as aforesaid a sum not exceeding eighty Pounds Current Money per Annum and so pro rata during his Continuance in Office and shall then take and the said Overseer and every other Overseer to be appointed shall and he is hereby obliged to enter into a Bond with sufficient Sureties in the penalty of two hundred Pounds Current Money payable to the said Trustees for the Poor conditioned as follows to wit: "The Condition of the above Obligation is such that if the above bound A. B. as Overseer of the Alms and Work House in _____ County shall well and truly discharge his Duty in the said Station and more particularly according to the Directions of the Act of Assembly entitled An Act for the Relief of the Poor within the several Counties therein mentioned then the above Obligation to be void otherwise to remain in full force and Virtue in Law"

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No. 1

[and impowered to pay a Salary, not exceeding 80 l. per annum]

[Overseers to give Bond in the Penalty of 200 l. for the faithful discharge of his Duty]

And be it further Enacted That the said Trustees or the major Part of them shall and they are hereby directed and impowered to remove such Overseer and all other Officers by them to be appointed in Pursuance of this Act at their Direction and to proceed to choose in their Place and stead

[and to be removed at the Discretion of the Trustees]

And be it further Enacted That the said Trustees or the major Part of them shall and they are hereby directed and enjoined to meet at the Alms and Work House in each respective County four Times in the Year to wit in the first Week of February May August and November or oftener if it should by them be deemed necessary to make and ordain by a Majority of Votes of such as may be present all such Good and wholesome Ordinances Rules and Bye Laws as they shall think convenient and necessary for the Direction Government and support of such Alms and Work-House and also for the Maintenance and Employment of all such Poor Persons as shall be taken under their Care and of all Vagrants Beggars Vagabonds and other Offenders that shall be committed thereto by Virtue of this Act all which Ordinances Rules and Bye Laws shall be from Time to Time inviolably observed by all Persons concerned according to the Tenor and effect thereof

[Trustees to meet at the Alms, and Work-Houses Four Times a Year, to make Rules for the Government, and support thereof, &c]

And be it further Enacted that the said Overseer shall keep a fair and regular List of all Poor, Beggars, Vagrants Vagabonds and other Offenders who shall be committed to their respective Alms and Work Houses and also fair and regular Accounts in Writing of all Materials and other Things coming to his Hands as Overseer aforesaid and of all Expences and Charges attending their Maintenance and support and of all Monies received by him for the Sale of the produce of their Labour and otherwise as Overseer aforesaid and

[The Overseer to keep a regular List of all Poor, Vagrants, &c. and also fair Accounts of all Materials, and Monies, received for the Produce of Labour]

Liber H. S. shall lay the said List and Accounts before the Trustees or the
 No. 1 Major Part of them at their Meetings at the Times by this Act
 directed or oftener if by them required

[To Compel such as are of sufficient Ability to work, &c] p. 726
 And be it further Enacted That the said Overseer may compel and oblige any of the said Poor, Beggars Vagrants and Vagabonds, or other Offenders in their respective Alms and Work Houses if of sufficient Ability to work, to labour and work and the produce of their Labour he is hereby directed and impowered to sell and apply the Money arising from such Sale to their Maintenance and support

[On complaint made, and founded, against disorderly Persons, a single Magistrate may commit such Person to the Work-House, &c. unless Security shall be given for good Behaviour]
 And be it further Enacted That upon Complaint made that any Person from his or her disorderly Conduct gives disturbance to his or her Neighbourhood and is likely to become Chargeable to the said County City or Town Corporate it shall and may be lawful for any one Magistrate of the said County City or Town Corporate respectively if upon hearing the Party he shall Adjudge the Complaint to be well founded to commit such disorderly Person residing within the said County City or Town Corporate respectively to the said Work House for any Time not exceeding three Months unless he or she shall find Security at the discretion of the Magistrate aforesaid in any sum not exceeding twenty Pounds Current Money for his or her good behaviour and more orderly Demeanor during the space of six Months and also upon Complaint and due Proof made by any one Trustee for the Poor or any Overseer of any Alms & Work House to any one Magistrate of the said County, City or Town Corporate that any Person in the said Work House hath behaved and demeaned him or herself in a disorderly manner or hath refused or neglected to do and perform his or her Daily Labour and Taske or hath refused or neglected to obey keep and observe any of the Ordinances Rules and Bye Laws of the said Corporation to order and direct such moderate and proper Correction not exceeding thirty nine Lashes for any one Offence to be given to such Offender as the Nature of the Case shall require

[Persons demeaning themselves in a disorderly manner, in the Work-House, to be punished]

[Trustees to appoint what Poor shall be received, and a single Magistrate, or any Person, by him authorized, may apprehend Vagrants, and keep them to hard Labour, not exceeding 3 months &c.]
 And be it further Enacted That it shall and may be lawful to and for any of the said Trustees to direct and appoint under their Hand in Writing what Poor shall be received into such Alms and Work House and it shall and may be lawful for any one Justice of the Peace for any one County City or Town Corporate and for any Person Authorized and appointed by such Justice to apprehend or cause to be apprehended any Rogues, Vagrants, Vagabonds Beggars and other Idle Dissolute and Disorderly Person found loitering or residing in the said County City or Town Corporate who follow no Labour Trade Occupation or Business and have no visible means of Subsistance whereby to Acquire an Honest Livelihood there to be kept at hard Labour for any Term not exceeding three Months and the Overseer of such Alms and Work House is hereby required to receive any Poor appointed as aforesaid to be received and any

Rogue, Vagrant, Vagabond, Beggar and other Idle dissolute and Disorderly Persons so as aforesaid Committed and Employ them according to the Tenor of such commitment

Liber H. S.
No. 1

And to restrain Poor people from going or removing from one County to another

Be it further Enacted That it shall and may be lawful for any one Justice of the Peace by Warrant under his Hand and Seale to remove and Convey such Person to such County where he or she was last legally settled either as a Native House-Holder Apprentice or Servant unless he or she find sufficient Security to be allowed by the said Justice for good behaviour and Discharge of the said County And if any Person be removed by Virtue of this Act from one County to another under the Hand and Seal of any one Justice of the Peace the Trustees for the Poor of the said County to which the said Person shall be so removed if any Alms or Work House shall be in such County are hereby required to receive the said Person removed into such Alms or Work House if it shall appear to such Trustees that such Persons last legal settlement was in that County And to prevent any disputes which may arise about what shall be deemed a Settlement within the Intention of this Act

[A single Magistrate may, by Warrant remove poor Persons to their last Place of settlement, unless they can find Security for Good Behaviour, &c.]

Be it further Enacted that all Poor who shall receive Allowances or be entered as Pensioners by any County Court of this Province or who shall be House Holders or Natives within any County shall be deemed and taken to have a legal Settlement in such County And if any Person shall execute any Public Annual Office or Charge in any County during one whole Year or shall be charged with and pay his Publick or County Levy such Person shall be adjudged and deemed to have a legal settlement in the same County and if any unmarried Person shall be hired in any County for one year such service during the Space of one Year shall be adjudged and deemed a good settlement and if any Person shall be bound an Apprentice by Indenture or by any County Court of this Province and inhabit any County such Binding and Inhabitation shall be adjudged a good Settlement

[What shall be deemed a legal Settlement in any County for the Poor] p. 727

And be it further Enacted That every Person who shall be received into any Alms or Work-House and there receive relief shall upon the Shoulder of the right Sleeve of the uppermost Garment of every such Person in an Open and Visible manner wear such Badge or Mark as is herein after mentioned and expressed that is to say a large Roman **P** together with the first Letter of the Name of the County whereof such Poor is an Inhabitant cut either in Red or Blue Cloth as by the Overseer of the Poor it shall be directed and appointed and if any such Poor Person shall neglect or refuse to wear such Badge or Mark as aforesaid and in manner aforesaid it shall and may be lawful for any one of the Trustees aforesaid where any such Offence shall be Committed to punish every such Offender

[Persons received into any Alms, or Work-House, to wear a Badge, &c.]

Liber H. S. No. 1 for every such Offence either by ordering of his or her relief or usual Allowance to be abridged suspended or withdrawn or otherwise by ordering such Offender to be whipt not exceeding twenty Lashes and kept to hard Labour for any Number of Days not exceeding twenty one as to the said Trustee in his discretion shall seem most meet And if any Overseer of the Poor shall receive into any Alms & Work House or shall relieve any such Person not having and wearing such Badge or Mark as aforesaid and be thereof Convicted upon the Oath of one or more Credible Witness or Witnesses shall forfeit and pay the sum of five Pounds Current Money

[Persons selling strong Liquors to the Poor, on the Land purchased for an Alms, and Work-House, forfeit 10 l.] And be it further Enacted That whosoever shall presume either to set up a Booth Stall or other Conveniency for the selling of Strong Liquors on the Land purchased in any of the Counties aforesaid for the Use of an Alms and Work House or shall commit any kind of Trespass thereon or shall sell or dispose of any Strong Liquor or other Matter or Thing whatsoever to any Poor or other Person entertained in such Alms and Work House shall for every such Offence forfeit and pay the sum of ten Pounds Current Money

[Penalties and Forfeitures, recoverable in any Court of Record; one Moiety to the Informer, the other to the Use of the Alms, and Work-House, &c.] And be it further Enacted That all and every the Pains Penalties and Forfeitures herein before by this Act directed and inflicted shall and may be recovered in any Court of Record within this Province by Action of Debt founded on this Act or Indictment wherein no Essoyn protection Wager of Law or more than one Impar lance shall be allowed any thing in this Act herein before Contained to the Contrary thereof in any wise notwithstanding. One Moiety to the Informer the other Moiety to the Use of the Alms and Work House where such recoveries shall be had and Obtained in which Actions of Debt it shall be sufficient for the Plaintiff to alledge that the Defendant or Defendants are Indebted to the Plaintiff the sums of Money or Tobacco by this Act directed and Inflicted whereby the Plaintiffs Action accrued to him according to the fform of this Act of Assembly without setting forth the Special Matter: Provided a Short Note expressing the Cause of Action be lodged in the Office at the Time of Issuing the Writ

[Officers to be aiding, and assist the Trustees in the Execution of their Office] And be it further Enacted That all Sheriffs Bailiffs Constables and all other Officers and Ministers of Justice shall be Aiding and Assisting to the said Trustees for the Poor in each of the said Counties and to all such Officers as shall be employed by them as by this Act is directed in the Execution and performance of the said Service

p. 728 [Persons sued for putting this Act in execution may plead the General Issue, &c.] And be it further Enacted that if any Person or Persons shall at any Time or Times be be Sued or prosecuted for any Matter or Thing by him or them done and Executed in Pursuance and Execution of this Act or of any Matter or Thing in this Act Contained such Person or Persons shall and may plead the general Issue and give this Act and the Special Matter in Evidence for his or their

defence; and if upon Tryal a Verdict shall pass for the Defendant or Defendants or if the Plaintiff or Plaintiffs shall become nonsuited or discontinue his or their suit then such Defendant or Defendants shall have and recover Treble Costs to him or them awarded against such Plaintiff or Plaintiffs and if the Plaintiff or Plaintiffs is or are unable to satisfie the same then it shall be paid and satisfied by the Attorney who brought such Suit unless the Plaintiff or Plaintiffs shall give Security for the Costs to be approved of by the Court in which such Suit is brought And to prevent Individuals being unreasonably burthened with the Execution of this Act as Trustees for the Poor

Liber H. S.
No. 1

Be it Enacted That at the Time of the Meeting of the said Trustees for the Poor in the first Week of May Yearly the said Trustees or the Major Part of them in the Counties aforesaid respectively shall and may Elect and choose one of the best Inhabitants of the same County to be a Trustee for the Poor of that County in the Stead of the first Named or Eldest of the said Trustees of the same County which said first named or eldest Trustee shall be and is by Virtue hereof thence from discharged from his Office

[The Trustees may elect in the 1st Week of May, yearly a person to serve in the stead of the First named Trustee]

By the Lower House of
Assembly 22.^d June 1768
Read & Assented to
Sign'd by Order
T. Wright Cl: Lo: Ho:

On Behalf of the Right
Honble the Lord Proprietary of this Province
I Will this be a Law
Hor^o Sharpe

By the Upper House of
Assembly 22.^d June 1768
Read and Assented to
Signed by Order
U Scott Cl. Up. Ho.

the Great Seal
in Wax Appendant

I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretary's Office of the Province of Maryland this Day Personally appeared before Me the Subscriber one of the Right Honourable the Lord Proprietary of the Province of Maryland his Counsel of State and made Oath on the Holy Evangels of Almighty God that he carefully examined all the Laws contained in this Book from folio 673 to folio 728 with the Original Acts that passed the Great Seal

Sworn to this 30.th Day of December 1768

J Beale Bordley

SEAL

The Seal of the Provincial Court is hereto affixed on Behalf of Daniel Dulany Esquire Secretary of Maryland by

Reverdy Ghiselin Cl of S. O. & Prov:^l Cur

APPENDIX

APPENDIX

I

PETITION FROM SUNDRY INHABITANTS OF ST. PAUL'S PARISH, BALTIMORE COUNTY, FOR LEGISLATIVE AUTHORITY TO HIRE AN ORGANIST, CIRCA 1760-1761

[THIS UNDATED PETITION FROM SUNDRY INHABITANTS OF ST. PAUL'S PARISH, BALTIMORE COUNTY, SOUGHT LEGISLATIVE AUTHORITY TO IMPOSE A TAX OF 8 POUNDS OF TOBACCO ON THE TAXABLE INHABITANTS OF THE PARISH TO HIRE AN ORGANIST TO PLAY "THE VERY GOOD ORGAN" AT ST. PAUL'S CHURCH. ALTHOUGH ADDRESSED TO GOVERNOR SHARPE AND BOTH HOUSES OF THE ASSEMBLY, IT APPARENTLY WAS NEVER PRESENTED IN EITHER HOUSE. FROM AN ANALYSIS OF THE SIGNERS IT IS POSSIBLE TO DATE IT 1760-1761. SEE PAGE CVI FOR A DISCUSSION OF THE MATTER.]

To His Excellency Horatio Sharpe Esq.^r Governor and Commander In Chief in and over the Province of Maryland and To the Honourable The Upper and Lower Houses of Assembly.

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No. 10
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The Petition of sundry the Inhabitants of St Pauls Parrish in Baltimore County in Behalf of Themselves and others Humbly sheweth

That having a very good Organ in their church and the Annual Assessment being seldom sufficient for the other Parochial charges they desire An act may pass for the Levying a sum not exceeding three Pounds of Tobacco P.^r Poll Yearly for Hiring an Organist to Play the same.

And your Petitioners as in Duty bound shall Ever Pray

Tho.^s Chase
N. Ruxton Gay
John Moale
W.^m Rogers
J Ridgely
And.^w Buchanan
Mayb.^r Helms Jr.
R.^d Moale
William Sanders
Mbry.^y Helms
William Lock

Jonathan Hanson
William Carter
John m Clure
W.^m Mackubin
Elisha Hall
Joh Reddin
David Gorsuch
Valentine Larsch
Alex.^r Stewart
James Cary
Jn.^o Carnan

Christ. ^o Carnan	Johan Pibb rasch
F. Jones	Martin Schmidt
Thom. ^s Dick	Henry Tar
Brian Philpot Jun. ^r	Phillipp Fisher
Alex. ^r Stenhouse	Job. Garison
Jon. ^a Plowman	John Shepherd
Henry Stevenson	Edm. ^d Talbott
W Wilkinson	Joseph Bankson
Richard ^{his} R King	Jn. ^o Merryman Jun. ^r
mark Stevenson	Edward Fell
Tho. Johnson	Ja. ^s Cole
†	Jn. ^o Stansbury Jun. ^r
Will ^m Lux	Daniel Bernitz
Wil. Lyon	John Haller [?]
John Orrick	Caspar Grasmick
Daniel Donovan	Heinrich Hofsteter
Will. Hacket	Heinrich Huber
Jacob Mayer	Racherd —aith [?]
John Stark	Jacob Reichert
Conrat Schmidt	Johannes Schrimm
Samuel Messerschmidt	Johannes Paull [?]
Friedrich Meyer	Georg Fridrich Baum [?]
Phillip Baker	William Hansman
Conrath Conrath	G. I. R.
—— Schaub [?]	Pelter Littig
Samuel Hooke	Rudolf Galkmann [?]
Michel Dieffenbach [?]	Vitus Hartweg
Jacob Hook	Andrew [?] Steiger
Jacob Richbortz	Carl Schiel

II

INSTRUCTIONS OF FREDERICK, LORD BALTIMORE,
TO GOVERNOR HORATIO SHARPE IN REGARD
TO ORDINARY LICENSES, 1766

[THE LORD PROPRIETARY HAD ISSUED INSTRUCTIONS, DATED FEBRUARY 7, 1765, DIRECTING GOVERNOR SHARPE TO REFUSE HIS ASSENT TO ANY ASSEMBLY BILL WHICH INVADDED WHAT HE CALLED HIS SOLE RIGHT TO GRANT ALL LICENSES AND TO ALL FEES, FINES, PENALTIES, AND FORFEITURES DERIVED IN CONNECTION THEREWITH, UNLESS AN EIGHTEEN-MONTHS' SUSPENDING CLAUSE WERE INSERTED IN THE ACT. THESE ARE LATER INSTRUCTIONS, DATED AUGUST 15, 1766, TO REVOKE THOSE OF FEBRUARY 7, 1765, IN WHICH THE PROPRIETARY DECLARES THAT THE ADDRESS OF THE UPPER HOUSE TO HIM, DATED MAY 27, 1766, HAVING GIVEN ITS OPINION THAT HE WAS NOT ENTITLED, UNDER HIS PREROGATORY, TO SUCH LICENSES, HE NOW REVOKES HIS FORMER INSTRUCTIONS AND DIRECTS THAT THE UPPER HOUSE PROCEED IN THIS MATTER AS IN ITS DISCRETION SEEMS FIT. SEE PAGES ciii-civ.]

Frederick Absolute Lord and Proprietary of the Provinces of Avalon
and Maryland in America Lord Baron of Baltimore in the
Kingdom of Ireland

F. Baltimore

To Our Right Trusty and Well Beloved Horatio Sharpe Esq.^r
Our Lieut.^t Governor and Commander in Chief in and over our
Province of Maryland aforesaid

Whereas we Did by our Instruction bearing date the Seventh day of Feb.^{ry} in the Fourteenth year of our Dominion and in the Year of our Lord One thousand Seven hundred and Sixty Five Enjoyn and Require you not to Signify your Assent to any Bill to be sent you from both or either of the Houses of Assembly of our said Province whereby Our sole Right and Priviledge of Granting Ordinary Licences or any other Licences whatsoever within our said Province in such manner as we sh.^d think fitting sh.^d or might be in any wise Invaded Impeached or otherwise drawn into Question or whereby any Appropriation Appointment or Disposition sh.^d or might be made of the Dutys Fines Penaltys and Forfeitures arising or to arise from such Ordinary Licences or other Licences whatsoever at any time theretofore Granted or thereafter to be Granted within our said Province otherwise than to our proper use and benefit or to or for such Uses Intents and purposes to which we sh.^d have Signified to you or our said Assembly our previous Assent and pleasure or

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Whereby any new Regulations Modes of Collection or other Innovations Sh.^d or might be Established or Introduced touching the Same Licences or any of them or touching all or any the Dutys Fines Penaltys or Forfeitures arising or to arise thereby without a Provision to be incerted such Bill whereby the Operation Force Validity and Effect of every such Bill and every Clause Article matter and thing to be therein incerted sh.^d be Suspended and remain In Effectual for the Space of Eighteen Months to be Computed from the day of your Assent to such Bill or untill such time as our Will and Pleasure sh.^d be signified to you therein

And Whereas It appears to us by the Address and Represent.ⁿ of our Upper House of Assembly to you dated 27.th May 1766, and the Report of their Committee of the same date transmitted by you to us That they are of Opinion we are not Entitled to the Ordinary Licences by virtue of our Prerogative and are apprehensive If we sh.^d Insist upon our Claim thereto it will very much tend to the obstruction of Publick business and be Productive of very general Dissatisfaction

We therefore Relying upon the Wisdom of you our said Lieut.^t Governor and of our Upper House of Assembly and your Firmness and Steadiness at all times in the Support of our just rights without being Deterred or Influenced by any motives whatsoever from holding the conduct which becomes your Station In compliance with the Representation of our said Upper House and in full Confidence and persuasion of your Joint Zeal and Attachment for our Service and for the removing every obstruction in our power to the Publick business and Promoting the General Satisfaction of our said Province Have Revoked and Annulled as by these Presents We do Revoke and Annull our said Instruction of 7.th Feb.^{ry} 1765, and everything therein contained Willing you our said Lieu.^t Governor so to Demean yourself in the several matters therein mentioned as to you in your Discretion shall seem fitting in that behalf Anything in our said Instruction contained to the contrary in any wise notwithstanding

In Testimony whereof We have to these Presents Subscribed our Title of Honor and Affixed our Lesser Seal at Arms this Sixth day of August in the 15.th year of our Dominion and in the Year of our Lord One thousand seven hundred and Sixty Six
Counter Signed by his FB.

Lordships Command

Hugh Hamersley
Secretary.



SEAL

III

A LOWER HOUSE BILL, 1766, FOR THE ISSUING OF WRITS OF REPLEVIN OUT OF THE COUNTY COURTS WHICH WAS REJECTED IN THE UPPER HOUSE

[THIS IS THE DRAFT OF A BILL PASSED BY THE LOWER HOUSE AT THE NOVEMBER-DECEMBER, 1766, SESSION, TO PERMIT THE ISSUING OF WRITS OF REPLEVIN, OUT OF EITHER THE COUNTY COURTS OR THE COURT OF CHANCERY, WHICH, UNDER THE EXISTING LAW, MIGHT ONLY BE ISSUED FROM THE PROVINCIAL COURTS AT ANNAPOLIS. THE BILL RECITES THAT THIS CHANGE WAS DESIRABLE TO LESSEN THE INCONVENIENCE AND EXPENSE TO SUITORS OF TRAVELING TO ANNAPOLIS, AND THAT THE BILL WAS IN CONFORMITY WITH PRACTICE IN ENGLAND. THIS BILL WAS REJECTED BY THE UPPER HOUSE, AS IT HAD BEEN AT PAST SESSIONS, AND WOULD AGAIN BE IN THE FUTURE, DOUBTLESS BECAUSE OF THE OPPOSITION OF THIS HOUSE TO LESSENING THE JURISDICTION OF THE PROVINCIAL COURTS AT ANNAPOLIS AND ALSO BECAUSE OF THE LOSS OF COURT FEES TO THEIR OFFICERS. SEE PAGE cvi.]

An Act for Issuing Writs of Replevin Out of the County Courts of this Province

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Whereas it appears to this General assembly that the Issuing Writs of Replevin in the Counties where the Cause of Action doth arise, is agreeable to the Practice of Our Mother Country; and the want of such a Practice here is of great Inconvenience to the good People of this Province, especially of the more remote Parts and more Particularly of the Eastern shore, who many Times in the winter Season cannot Possibly cross the Bay in Order to obtain such Writts Out of the Chancery Office, for remedy therefore of this Evil for the future,

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the same That from and after the end of this Present Session of Assembly all Writts of Replevin may Issue at the Election of the Party or Parties Suing for the Same either Out of the Court of Chancery or the County Court where the Cause of Action shall arise or County Court of the County [wh]ere the Goods and Chattles to be Replevied shall be at the time of Issuing such Writ returnable to the Provincial or County Court as the party Or Parties suing the same may incline Or as the Nature of their case may require And

that the Matters and things contained and mentioned in the said writ Or Writs of Replevin shall be heard Tryed and determined in such Provincial or County Courts to which such Writ Or Writs shall be returnable any Law Usage Or custom to the contrary notwithstanding

Provided always that nothing in this Act contained shall hinder Or be Construed to hinder the parties concerned in such Act from removing the same by proper Writs of Removal from the said several County Courts into the Provincial Court but that the Parties aforesaid shall have the same benefit and priviledge in such Action Or Actions of Replevin as in Other Actions sued in the County Courts any thing herein before contained to the Contrary notwithstanding

Provided also that the Party Or Parties Obtaining or Suing such Writ Or writs of Replevin Out of any of the County Courts aforesaid shall before the Issuing thereof be Obligated to give Bond with Sufficient Sureties and lodge the same with the Clerk of the said County Courts in like manner as heretofore has been used in the high Court of Chancery

[Endorsed on back]

A Bill entitled An Act for Issuing Writts of Replevin out of the County Courts of this Province

By the Lower house of Assembly 14.th Nov.^r 1766.

Read the first time & Ordered to lye on the Table.

Signed p order MMacnemara Cl lo ho

By the Lower house of Assembly 21.st Nov.^r 1766.

Read the Second time and will pass

Signed p order MMacnemara Cl lo ho

By the Upper House of Assembly 21.st Nov.^r [1766].

Read the first and second Time, by an especial Order and will not pass

Signed by Order U Scott, Cl. Up. Ho.

IV

THE TAX LEVY OF WORCESTER COUNTY FOR THE YEAR 1766

[THIS TAX LEVY FOR WORCESTER COUNTY FOR THE YEAR 1766 WAS ADOPTED AT A MEETING OF THE COUNTY COURT HELD AT SNOWHILL TOWN ON DECEMBER 8, 1766. AS FAR AS HAS BEEN LEARNED, THIS IS THE FIRST TIME THAT A DETAILED PRE-REVOLUTIONARY MARYLAND COUNTY TAX LEVY HAS APPEARED IN PRINT. IT IS OF ESPECIAL INTEREST IN THIS CONNECTION AS THROWING SIDE-LIGHTS UPON SEVERAL MATTERS WHICH CAME BEFORE THE ASSEMBLY DURING THE 1766-1768 PERIOD, AND ALSO BECAUSE IT SHOWS IN GREAT DETAIL THE VARIOUS WAYS IN WHICH THE TAXPAYERS' MONEY WAS SPENT FOR THE SUPPORT OF A COUNTY GOVERNMENT. THE 118,513 POUNDS OF TOBACCO REQUIRED FOR THE ANNUAL SUPPORT OF THE COUNTY WAS TO BE RAISED BY A TAX OF 31 POUNDS OF TOBACCO ON EACH OF THE 3823 TAXABLE INHABITANTS OF THE COUNTY. THE LEVY IS DISCUSSED IN MORE DETAIL ON PAGES cvi-cviii.]

Worcester County to wit

At a Court of his Lordship the right Hon.^{ble} Frederick absolute Lord and Prop.^{ry} of the Province of Maryland and Avalon Lord Baron of Baltimore & so forth. Held at Snowhill Town in and for the County af.^d the first Tuesday of November to wit the fourth Day of the same Month in the Year of our Lord God one thousand seven hundred sixty and six by his said Lordships the right Hon.^{ble} the Lord Prop.^{ry} his Justices the Peace in and for the County af.^d to keep assigned of whom to wit at an Adjournment of the same Court held at Snowhill Town af.^d on Monday the eighth Day of December next after the said first Tuesday of November were

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Present.

The Respectfull	{	William Allen	{	William Ellegood	{	Esquires
		John Scarborough		George Layfield		his said
		Joshua Mitchell		Benton Harris		Lordships
		John Evans		Adam Spence		Justices
		Joseph Dirickson		and		
		John Selby		Joseph Dashiell		

Esme Bayly Shf

H Johnson Clk.

Which said Justices proceeded (agreeable to Act of Assembly) to Tax the several Inhabitants of Worcester County for the uses and purposes hereafter mentioned Viz.^t

To his Excellency Horatio Sharpe Esq. ^r as p Account filed.....	1040
To Daniel Dulany Esq. ^r Secretary as p Account filed.....	291½
To William Allen for 28 Days Attendance as a Magistrate at 64 Lb. ^s of Tobacco p Day.....	1792
To John Scarborough for.....35 Days at 64 Lb. ^s of Tobacco p Day...	2240
To John Dennis Jun. ^r for.....26 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1664
To Joshua Mitchell for.....31 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1984
To John Evans for.....25 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1600
To Joseph Dirickson for.....29 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1856
To William Ellgood for.....35 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	2240
To John Dagworthy for.....21 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1344
To George Layfield for.....20 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1280
To Benton Harris for.....26 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	1664
To Adam Spence for.....35 D. ^{os} at 64 Lb. ^s of Tobacco p D. ^o ...	2240
To Lemuel Purnell for 17 Days Attendance as a Pettit Juror in County Courts at 24 Lb. ^s of Tobacco p Day.....	408
To Nehemiah Holland for 6 Days Attendance as a Pettit Juror in County Courts at 24 Lb. ^s of Tobacco p Day.....	144
To John Rackliff for.....5 Days at 24 Lb. ^s of Tobacco p Day...	120
To Joshua Jones for.....6 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	144
To John Morris for.....13 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	312
To Francis Allen for.....29 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	696
To Thomas Martin for.....6 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	144
To Joshua Hill for.....6 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	144
To Elijah Laws for.....6 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	144
To John Duncan for.....6 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	144
To William Fassitt (Son of John) for 2 Days at 24 Lb. ^s of Tobacco p Day.....	48
To Samuel Wise for.....5 Days at 24 Lb. ^s of Tobacco p Day...	120
To Caleb Tingle for.....3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To John Houston for.....23 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	552
To William Townsend for.....5 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	120
To Benjamin Purnell for.....4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To John Mitchell for.....16 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	384
To John Purnell (Son of Matt. ^w) for 4 Days at 24 Lb. ^s of Tobacco p Day.....	96
To Andrew Gibb for.....5 Days at 24 Lb. ^s of Tobacco p Day...	120
To William Stevens Hill for...1 D. ^o at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Elijah Cannon for.....5 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	120
To Azariah Purnell for.....5 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	120
To John Purnell (Copomco) for 6 Days at 24 Lb. ^s of Tobacco p Day.....	144
To Powell Paley for.....7 Days at 24 Lb. ^s of Tobacco p Day...	168
To Kendall Collier for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To Thomas Pridix for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To Adam Bravard for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To Ebenezer Campbell for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To Charles Minors for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To William Turmell for.....5 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	120
To Thomas Batson for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To John Tall for.....7 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	168
To Josiah Mitchell for.....11 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	264
To John Spence for.....11 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	264
To Elisha Parker for.....11 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	264
To Dixon Quinton for.....8 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	192
To George Hearn for.....11 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	264
To Ebenezer Hearn for.....11 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	264
To Abraham Gibbs for his Attendance as a Grand Juror at March Court 1766 four Days at 24 Lb. ^s of Tobacco p Day.....	96
To John Selby (Son of Tho. ^s) for 4 Days at 24 Lb. ^s of Tobacco p Day.....	96

23883½

To William Bartlet Townsend for 4 Days at 24 Lb. ^s of Tobacco p Day	96
To Jonathan Cathell for..... 4 Days at 24 Lb. ^s of Tobacco p Day...	96
To Henry Hudson (of Saint Martins) for 3 Days at 24 Lb. ^s of Tobacco p Day.....	72
To Joseph Smith for..... 4 Days at 24 Lb. ^s of Tobacco p Day...	96
To John Flemming for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Thomas Batson for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Charles Rackliff for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Daniel Cottingham for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To John Mitchell for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Levin Hopkins for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To William Bishop for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Charles Parker for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Isaac Brittingham Jun. ^r for. 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To James Cathell for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Major Hudson for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To William Ironshire for his Attendance as a Grand Juror at March Court 1766 four Days at 24 Lb. ^s of Tobacco p Day.....	96
To George Parker for..... 4 Days at 24 Lb. ^s of Tobacco p Day...	96
To Charles Rikken for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Baker Wharton for..... 4 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	96
To Josiah Mitchell for his Attendance as a Grand Juror at June Court 1766 two Days at 24 Lb. ^s of Tobacco p Day.....	48
To Isaac Billingham Ju. ^r for... 2 Days at 24 Lb. ^s of Tobacco p Day...	48
To Peter Gordy for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To John Chambers Cropper for. 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Thomas Riley for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Smock for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To John Duncan for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Nathan Brittingham for... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Joshua Kellam for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To George Truitt for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Arthur McAllan Jun. ^r for.. 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Sturgis for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To George Hearn for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Solomon Hudson for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To George Howard for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Boyce for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Benjamin Wooden for.... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Elisha Parker for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Thomas Batson for..... 2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Isaac Bozman Schoolfel for his Attendance as a Grand Juror at November Court 1766 three Days at 24 Lb. ^s of Tobacco p Day.....	72
To Jonathan Tilney for..... 3 Days at 24 Lb. ^s of Tobacco p Day...	72
To John Duncan for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Joshua Jones for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To William Kellam for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Isaac Kellam for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To William Bartlet Townsend for 3 Days at 24 Lb. ^s of Tobacco p Day	72
To Bartlet Townsend for..... 3 Days at 24 Lb. ^s of Tobacco p Day...	72
To Schoolfield Parker for.... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To James Windsor for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To John Gibbins Jun. ^r for.... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Thomas Copes for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Thomas Aydelott for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To John Stevenson for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Joseph Stevenson for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Levin Hopkins for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To George Parker Jun. ^r for... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72
To John Tull for..... 3 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	72

To ——— Gordy for.....	3 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	72
To Capt.n John Selby for his Attendance as a Juror at a Special Court of Oyer & Terminer 1 Day at 24 Lb. ^s of Tobacco p Day.....			24
To Lemuel Purnell for.....	1 Day	at 24 Lb. ^s of Tobacco p Day...	24
To Nathaniel Ramsey for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Adam Spence for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Morris for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Nehemiah Holland for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To James Rownd for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Ladock Purnell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Geo Martin for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To William Whittington for his Attendance as a Juror at a Special Court of Oyer and Terminer 1 Day at 24 Lb. ^s of Tobacco p Day....			24
To Joshua Jones for.....	1 Day	at 24 Lb. ^s of Tobacco p Day...	24
To John Rackliff for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Purnell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Matthew Outten for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Capt. William Townsend for	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Bowen (Synapuxon) for 1 Day at 24 Lb. ^s of Tobacco p Day			24
To John Schoolfield for.....	1 Day	at 24 Lb. ^s of Tobacco p Day...	24
To Matthew Selby for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Elisha Purnell Jun. ^r for...	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Isaac Murray for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Benjamin Purnell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To William Holland Jun. ^r for.	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Arthur McAllan Jun. ^r for.	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Joseph Merrill for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Samuel Ennis for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Parker Selby (Son of Philip) for 1 Day at 24 Lb. ^s of Tobacco p Day			24
To Josiah Dickerson for.....	1 Day	at 24 Lb. ^s of Tobacco p Day...	24
To Edmond Dickerson for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Daniel Selby for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Joshua Evans for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To William Sturgis for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Levin Hill for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Spence for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Houston for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Outten Sturgis for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To George Truitt for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Thomas Sturgis for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Benjamin Atkinson for....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To William Bishop for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Joseph Bishop Sen. ^r for....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Thomas Purnell (Copomco) for 1 Day at 24 Lb. ^s of Tobacco p Day			24
To Edward Round for.....	1 Day	at 24 Lb. ^s of Tobacco p Day...	24
To William Purnell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Campbell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Ebenezer Campbell for....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To John Marshall for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Samuel Scarborough for... 1 D. ^o		at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Eli Campbell for.....	1 D. ^o	at 24 Lb. ^s of Tobacco p D. ^o ...	24
To Lemuel Purnell for his Attendance as a Juror at August Assizes last 2 Days at 24 Lb. ^s of Tobacco p Day.....			48
To Capt. John Selby for.....	2 Days	at 24 Lb. ^s of Tobacco p Day...	48
To John Purnell (Qepomco) for	2 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Francis Allen for.....	2 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	48
To John Houston for.....	2 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Thomas Pridix for.....	2 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Major John Evans for....	2 D. ^{os}	at 24 Lb. ^s of Tobacco p D. ^o ...	48

To William Ellegood for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To George Layfield for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Ladock Purnell for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Adam Spence for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Samuel Wise for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To John Collins for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To John Ball for.....	2 D. ^{os} at 24 Lb. ^s of Tobacco p D. ^o ...	48
To Joseph Cannon for his Attendance as a Juror at August Assizes last 2 Days at 24 Lb. ^s of Tobacco p Day.....		48
To Joseph Boyce for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To William Holland for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Fassett (Son of John) for 2 Days at 24 Lbs. of Tobacco p Day		48
To Joshua Evans for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To John Johnson for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Melvin for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Smock for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Archibald Dale Jun. ^r for...	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Holland for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Daniel Selby (Son of Philip) for 2 Days at 24 Lbs. of Tobacco p Day		48
To Joshua Hill for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To John Selby (Son of Thomas) for 2 Days at 24 Lb. ^s of Tobacco p Day		48
To John Stewart for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To William Sturgis for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Jonathan Cathell for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Thomas Batson for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Thomas Purnell (Synapuxon) for 2 Days at 24 Lb. ^s of Tobacco p Day		48
To Thomas Purnell (Quepomco) for 2 Days at 24 Lb. ^s of Tobacco p Day		48
To Joshua Caldwell for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To William Purnell for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Boyce for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To Peter Dolby for.....	2 Dittosat 24 Lb. ^s of Tobacco p D. ^o ...	48
To William Selby (Pocomoke) for 2 Days at 24 Lb. ^s of Tobacco p Day		48
To John Davis (Wiccocomoco) for 2 Days at 24 Lb. ^s of Tobacco p Day		48
To Nehemiah Holland for.....	2 Days at 24 Lb. ^s of Tobacco p Day...	48
To Robert Houston for keeping Mary Wiathbon a poor Object of Charity the Year past.....		290
To John Houston Sen. ^r for keeping Sarah Hays a poor Object of Charity the Year past.....		1000
To Mary Smith for keeping Sarah Howard a poor Object of Charity the Year past.....		1000
To Charles Powell for keeping his son an Ideot the Year past.....		1000
To Elizabeth Blades for keeping Rebecca Lister a poor Object of Charity the Year past.....		800
To Robert Millington a poor Object of Charity for the Year past....		1000
To Capt. Joseph Dirickson for keeping Littleton Townsend a poor Object of Charity the Year past.....		2124
To Ezekiel Duer a poor Object of Charity for the Year past.....		500
To James Lindsey for keeping Thomas Newton a poor Object of Charity the Year past.....		1200
To John Timmons for keeping and maintaining Robert Downs a poor Object of Charity the Year past.....		800
To John Timmons also for keeping Ann Downs a poor old blind Woman the Year past.....		600
To Susannah Purkins a poor Object of Charity for the Year past.....		1000

To Nathaniel Bratten for keeping Stevenson Bratten a poor Lunatick the Year past.....	1000
To Daniel Townsend a poor old infirm Man for the Year past.....	400
To James Rikken for keeping Elizabeth Townsend a poor Object of Charity the Year past.....	700
To John Taylor a poor Object of Charity for the Year past.....	500
To Mary Jones a poor Object of Charity for the Year past.....	1200
To Barrett Jones toward Enabling him to Support himself & poor Wife the Year past.....	800
To Mary Townsend a poor decriped Woman for the Year past.....	600
To Sarah Woodcraft a poor Aged infirm Women for the Year past....	500
To The Same to Enable her to maintain Ezekiel Woodcraft her Son who is Troubled with Fitts the Year past.....	1000
To Comfort Hopkins for keeping her poor Child an Idiot the Year past	800
To Esme Bayly Sher. for the use of Mary Lou for keeping William Dukes's Child the Year past.....	1200
To Henry Turner Sen. ^r to Enable him to maintain his poor Wife who is Troubled with the dead Palsey the Year past.....	1000
To William Turner to Enable him to keep his poor Daughter who is Troubled with Fitts the Year past.....	800
To Mary Stevens for keeping the lower Ferry over Pocomok River the Year past.....	2500
To Abraham Gibbs for keeping the uper Ferry over Pocomoke River the Year past.....	2500
To Richard Lingo to Enable him to keep his poor Daughter who is Troubled with Convultion Fitts the Year past.....	800
To Jacob Cannon for keeping a Ferry over Nanticoke River the Year past	1500
To Mary Daughters a poor old blind Woman for the Year past.....	1200
To Daniel Conner for keeping William Rackliff Manless a poor Infant the Year past.....	1040
To George Truitt for keeping Elizabeth Curren a poor Object of Charity the Year past.....	720
To William Ellegood for keeping Benjamin Easom a poor Object of Charity the Year past.....	1000
To Isabella Oneal for keeping an Infant of Levin Larramore's the Year past	960
To John Stockley for keeping Rachel Brittingham an Object from the 1. st of September 1765 to the 14. th of February last &c Burying her	600
To Matthew Outten for keeping John Morriss five Months and Burying him	600
To John Cotham for keeping George Wester six Months.....	960
To Daniel Townsend for keeping the af. ^d George Wester from August Court last to this time.....	480
To Rowland Beavens Sen. ^r for keeping Levin Anderson a poor Object Child eight Months.....	500
To Francis Stevens for keeping her poor Child an Ideot the Year past..	500
To William Hudson for keeping a poor Child of David Hudsons an Object of Charity nine Months and a half.....	950
To Susannah Hutchings a poor Object of Charity for the Year past....	240
To Jesse Crapper for keeping Martha Cordray six Months past.....	640
To Grace Butler a poor Object of Charity for the Year past.....	1500
To Peter Redden for Furnishing Mary Allen a poor Woman and four Children with Provisions and other Necessarys untill this November Term	240
To Mary Bissex a poor old infirm Woman for the Year past.....	320
To John Aydelott for keeping Littleton Townsend a poor Object of Charity as p Agreement with Cap. ^t Joseph Dirickson.....	364
To James Windsor for keeping Sarah Windsor a poor Object of Charity the Year past.....	600

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To Mary Butler a poor Object of Charity for the Year past.....	500	
To James Windsor for Repairs to Broad Creek Warehouse Anno 1764 Omitted to be Levied before.....	400	
To Levinah Driggus for keeping and maintaining her poor helpless Parents the Year past.....	1200	
To John Fleming for Furnishing Daniel Casey a poor Object of Charity with Provisions and other Necessarys the Year past.....	320	
To Charles Richardson for Furnishing Adam Foy a poor Object of Charity with Cloaths &c. ^a the Year past.....	340	
To Adam Foy a poor Object of Charity for the Year past.....	660	
To Obadiah Gladston for keeping a poor Object Child of Duncan Mur- rays 2 Months & 22 Days and Burying said Child.....	640	
To John Gormsell for keeping Mary Gormsell a poor Object of Charity from the 3. ^d of January to this time.....	500	
To Dennis Morriss a poor Object of Charity for the Year past.....	600	
To Warner Mifflin for Furnishing Rachel Floyd a poor Object of Charity with Provision &c. as p Account Filed.....	480	
For Mary Sheldon for keeping Massey Hamilton a poor Object of Charity and Burying her.....	1240	
To Daniel Townsend for keeping Anselo Quinton from June Court last to this time as p Agreement with the Court.....	1000	
To Adam Spence for Furnishing Elijah Scott a poor Object of Charity with some Necessarys as p Account filed.....	358	
To John Davis (of Wiccocomoco) for keeping and maintaining Mary McCarlin a poor Object of Charity four Months & 7 Days.....	440	
To John Pennewewell Sen. ^r a poor Object of Charity for the Year past	500	
To Charles Nichols for Building a Bridge over the Head of Saint Martins as p Agreement with Col. ^o John Dennis who was by the Court desired to Contract for the same.....	1120	
To William Ironshire for 1 Wolf Scalp.....	160	
To Levin Davis for 1 Bares Scalp.....	80	
To Matthew Dorman for 1 Ditto.....	80	
To Henry Speer for 1 Ditto.....	80	
To Elizabeth Handy for 2 Levies over Charged Anno 1765.....	60	
To John Teague for 1 Levie over Charged Anno 1765.....	30	
To Samuel Tingle for keeping Benjamin M. ^c Cormack a poor Object of Charity two Months.....	160	
To M. ^r George Hayward his Lordships Prosecutor as p Account filed..	320	
To M. ^r Esme Bayly Sher. for Criminal fees &c. ^a as p Account filed....	2805	
To Henry Johnson Clk for publick Services the Year past agreeable to the Act of Assembly.....	2000	
To the af. ^d Henry Johnson Clk for Criminal fees &c. ^a as p Account filed	761	
To Levin Townsend Cryer for Criminal fees &c. ^a as p Account filed...	348	
To The Same for taking Care of and Cleaning the Court House as also for Furnishing the Court with Firewood and Candles &c. ^a	584	
To Francis Allen for providing twenty four Cord of Wood for the Prisoners in Goal.....	1440	
To John Scarborough Jun. ^r as one of the Coroners as p Account filed...	375	
To Major John Evans for Attending at Newport Warehouse in Con- sequence of the Courts appointment in order to Try the Weights & Scales at said Warehouse as p Account filed.....	64	
To M. ^r William Ellegood for Attending at Broad Creek Warehouse in Consequence of the Courts appointment in order to Try the Weights & Scales at said Warehouse as p Account filed.....	64	100424½
To Cap. ^t Benton Harris for Attending at Snowhill Warehouse in Con- sequence of the Courts Appointment in order to Try the Weights and Scales at said Warehouse as p Account filed.....	64	
To M. ^r Adam Spence Standard keeper for Trying the Weights and Scales at Snowhill Warehouse as p Account filed.....	120	
To M. ^r Adam Spence Standard keeper also for trying the Weights & Scales at Newport Warehouse as p Account filed.....	120	

To M. ^r Adam Spence for Attendance as a Magistrate at Snowhill Warehouse in Consequence of the Courts appointment in Order to try the Weights and Scales at said Warehouse as p Account filed....	64	
To M. ^r Adam Spence also for Attending as a Magistrate at Newport Warehouse in consequence of the Court appointment in Order to try the Weights and Scales at said Warehouse as p Account filed.....	64	
To M. ^r Adam Spence also for Attending as a Majistrate at Broad Creek Warehouse in consequence of the Courts appointment in order to try the Weights and Scales at said Warehouse as p Account filed.....	64	
To Elisha Johnson (Inspector) for deficiency on Inspection at Snowhill Warehouse Anno 1766. as p Account filed.....	716	
To John Dale (Inspector) for deficiency on Inspection at Newport Warehouse Anno 1766. as p Account filed.....	2279	
To John Williams (Inspector) for deficiency on Inspection at Broad Creek Warehouse Anno 1766. as p Account filed.....	2035	
To Henry Johnson Clk for Services the Year past about the inspection..	800	
To Jonas Green (Printer) for Furnishing the several Inspectors with Notes and Books the Year past.....	960	
To Jonas Green (Printer) for Printing the Laws Votes & Proceedings of the Assembly.....	2881	
To Levin Townsend as Cryer at August Assize 1766 a p Account filed..	117	
To be Levied on the several Taxable Inhabitants in the County of Worcester in Lieu of the 40 Lb. ^s of Tobacco p Poll Levied before the Year of our Lord 1748. for the use of the Clergy.....	30 Lb. ^s Tob. ^o p Poll	
To Rowland Beavens Constable of Pocomoke Hundred for Suppressing the Tumultuous meeting of Negroes &c in said Hundred the Year past.	400	
To the Adm. ^r of Valentine Dennis deceased for his the said Valentine Dennis's Suppressing the Tumultuous meeting of Negroes &c. ^a in Anguango Hundred six Months past.....	200	
To John Davis Constable of said Acquango Hundred for Suppressing the Tumultuous meeting of Negroes &c in said Hundred the Other six Months	200	
To Elisha Jones Constable of Pills's Creek Hundred for Suppressing the Tumultuous meeting of Negroes &c in said Hundred the Year past....	400	
To George Spence Constable of Snowhill Hundred for Suppressing the Tumultuous meeting of Negroes &c. ^a in said Hundred the Year past..	400	
To John Teague Constable of Boquetenorton Hundred for Suppressing the Tumultuous meeting of Negroes &c. ^a in said Hundred the Year past	400	
To John Brittingham Constable of Mattapony Hundred for Suppressing the Tumultuous meeting of Negroes &c. ^a in said Hundred the Year past	400	<u>113108½</u>
To Doctor Risdon Hutchings for Medicines and Attendance to Elijah Scott a poor Object of Charity as p Account filed.....	3260	
To Assessment agreeable to the Act of Assembly entitled an Act for the Benefit of the Poor and Incouragement of Industry.....	8000	<u>124368½</u>
To Esme Bayly Sher. for his Commissions on the Collection of the above Quantity of 124368½ Lb. ^s of Tobacco at 6 p Cent.....	7462½	
To Esme Bayly Sher. for his Commissions on the Collection of the Quantity of 2881 Lb. ^s of Tobacco being the Allowance made to Jonas Green (Printer) agreeable to Act of Assembly at 5 p Cent.....	144	
To Esme Bayly Sher. for his Commissions on the Collection of the Credits in Tobacco amounting to the Quantity of 14724 Lb. ^s of Tobacco at 6 p Cent.....	883	
To Ballance due to the County of Worcester at the Laying the next Levie in the Sheriffs hands.....	1257	
	Lb ^s Tobo	<u>134115</u>
p Contra		C. ^r
By a List of Amercements as p List appears amounting to.....	3576	
By a List of Defaulters for Squirrel Scalps as p List appears amounting to	10748	

By John Mumford for the purchase of a Bastard Child of Rachel Mosleys sold agreeable to the Act of Assembly for the use of the County	400
By Ballance in the Sheriffs Hands due to the County of Worcester on laying the Levie last Year.....	878
By 3823 Taxable Persons within the County of Worcester as appears by the several Lists thereof returned by the Constables of the several Hundreds at 31 Lb. ^s of Tobacco p Poll.....	118513
Lb. ^s Tob. ^o	134115

[Endorsed]

In Testimony that the foregoing is a true Copy of the Levie List in Worcester County as well Debits as Credits for the Year of our Lord one thousand seven hundred sixty and six, the Seal of the County of Worcester is hereto affixed this seventh Day of March Anno Doñ 1767.

p H Johnson Clk
of Worcester Cot.^y Court


 SEAL

V

PETITION, DATED MAY 16, 1767, FROM THE VESTRY
OF COVENTRY PARISH OF WORCESTER COUNTY
TO GOVERNOR HORATIO SHARPE IN RE-
GARD TO THE APPOINTMENT OF A
NEW RECTOR FOR THAT PARISH

[THIS PETITION, DATED MAY 16, 1767, TO SHARPE FROM THE VESTRY OF COVENTRY PARISH, SIGNED BY 183 PARISHIONERS INCLUDING 6 VESTRYMEN AND 2 CHURCH WARDENS, CALLS ATTENTION TO THE "LONG PERISHING STATE" OF THE PARISH AS THE RESULT OF THE DELINQUENCIES OF THE FORMER RECTOR, THE REVEREND NATHANIEL WHITAKER, PRAYS THAT NO RECTOR "BE IMPOSED" ON THE PARISH WITHOUT ITS APPROBATION, AND REQUESTS THE INDUCTION OF THE REVEREND DOCTOR THOMAS BRADLEY CHANDLER. SEE PAGES lxx, lxxii, cviii FOR THE BACKGROUND AND CONSEQUENCES OF THE PETITION, AND THE DELINQUENCIES OF THE RECENTLY DECEASED RECTOR, NATHANIEL WHITAKER.]

To his Excellency Horatio Sharp Esq.^r, Governor of the province
of Maryland

Whereas your Excellency in consequence of an Adress presented you on the death of the late Incumbent of Coventry Parish, in the Name of the Vestery of the said Parish at the Earnest desire of the Parisheners; you in consideration of the long perishing state of

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Archives of
Maryland
Gilmor
Papers
Vol. 1,
Division 2
pp. 54, 61
Md.Hist.Soc.

that Parish together with your unshaken Zeal for the Security and promotion of the Established Religion, was pleased to Signify to the Vestery of that Parish, that they should not have any Rector imposed on them without a Tryal by and Aprobation of the Parisheners of the Parish

Therefore we the Vestrymen, Wardens, and Parisheners of the Parish of Coventry af.^d whose Names are hereto Subscribed, being filled with the deepest sense of gratitude for your kind and affectionate answer in return to our Application and do beg leave to offer this as our testimonial of our Sincerity to your person and a hearty desire and prayer of your long continuance in the Administration over us, And we beg leave with all due deference to represent to your Excellency that being encouraged by your condescending goodness and respect expressed towards us in your answer, the most Considerable part of the parisheners imedeately and unanimously determined to give a Call and Invitation to a Gentleman of the Clergy that should be able to give the most positive testimonials of his unshaken Zeal to the Church, indow'd with Abilities and from a Serioies [sic] of practice have demonstrated to the World to have lead a pious and Godly life, that from Such a man might have reason to hope that the most of the people would be rectified which from the long Neglect of the late Incumbent are much Corupted, and might take root and obtain a new gro'th amongst us, by which means we shall receive that advantage and satisfaction which we hold and do esteem as our greatest Blessing; to wit to be to the duty and practice of a holy and religious life, and that in obtaining such a Man it would be esteemed agreeable prevent every obstacle that could be suposed to arrive against our [attaining] so desirable an end, Thus being moved through the principles herein recited accordingly appointed some of our Vestry for the purpose af.^d and in consequence of their appointment, they made their aplication to the Rever.^d Doc.^r Thomas Bradbury Chandler and gave him an Invitation to our parish, who hath been pleased in consideration of the perishing state of our Church to condescend to come and visit us and to give the parishoners a Tryal of him, and accordingly has visited us and preached several Sermons in our Parish and performed some other porochial duties, and Satisfyed us from undoubted Authority of his Abilities moral life and conversation, some of which testimonials will be presented to your Excellency by this Gentleman and hope will prove satisfactory to you also, We now from him under these consideracions enjoy every hope of receiving from him all the Advantages we could desire or wish in a Teacher or Rector, and do declare our entire Satisfaction in him and to receive him as our Teacher, In consideration of which we humbly present the said Rev Doctor Thomas Bradbury Chandler to your Excellency and do earnestly pray your Excellency that you

may be pleased to induct him into our parish of Coventry which now hath become vacant on the death of the late Rever.^d Nathaniel Whitaker and that he may receive the Benefice arrising and growing due from the said Parish as established by Law, as also all other the Emunities and perquisites thereto belonging and we shall be ever in duty Bound to pray &.^a Given under his hand this 16.th day of May 1767

William Tull
Sollomon Tull
Charles Ford
Aaron Sterling
Littleton Sterling
Henry Sterling
John Horsey
Thomas Holt
Joseph Dawson
Bell Maddux
William Roach
John Roach
Jonathan Roach
Thomas Handy
James Dakes
Jacob Addams
Isaac Handy
John Long
John Collins
Michael Milbourn
John Dreddon
George Schoolfield
Henry Schoolfield
Kirk Gunby
William Wilson Jn.^r
Tho.^s Moore
John Williams
Thomas Bruff
Samuell Handy
Solomon Bird
Purnell outten
Hope Addams
William Taylor
Tho.^o Dixon
John Purkins
Ludowick Beauchamp
Dennis Addams
William Addams J.^r

Vestrymen	{	W. ^m Allen
	{	James Gunby
	{	Tho. ^s Hayward J. ^r
	{	William Addams
	{	Littleton Dennis
Wardens	{	Abram Outten
	{	J Broughton
	{	Elijah Coulbourn
		Thomas Bird
		Stephen Ward, juner
		William Handy
		Ezekie Lankford
		James Dorgherty
		Charles Roach
		Littleton Long
		Mathias Ward
		Samul Cox
		Henry Potter
		Michael Hollond Sen.
		Nathanel Juett
		Sollomon Tull Ju.
		Samuel Beauchamp
		John Horsey
		Thomas Tull
		John Cullin
		James Gunby juner
		Thomas Addams
		David Addams
		Joseph Anno
		John Starling
		William Donoho
		John Starling
		Joseph Bell
		John Ward
		Rachel Coulbourn
		Benjamin Coulbourn

William Coulbourn	James Atkinson
William Coulbourn Jn ^r	Eduard Water S. ^r
Robert Coulbourn	Teagu Riggins
Tho. ^s Lambden	Mich. ¹ Cluff
Isaac Mitchell	Thomas Maddox
Abraham Gibbs	Jonathan Cluff
Samuell Addams	Dixon Quinton
Isaac Layfield	Jacob Boston
Robert Miller	Smith Horsey
Henry Schoolfield, Jr	William Melvin
Benjamin Schoolfield	Charles Hall
Tho. ^s Tyler	William Broughton
Thomas Lambden Jun. ^r	John Killiam Ju. ^r
Enos Marshall	Jacob Addams son of Col-
Peter Reden	lins
John Paden	Stephan White
Joseph Stevenson	—— Gorlans
Wm. Ellis	Jacob Cullin
Nehemiah Redden	William White
John Henderson	Nehemiah Tillman
Nehemiah Dickerson	Handy Beauchamp
Dan. ¹ Jones	John Riggins
William Scholfield	Samuell Smith
Ephraim Stevens	William Addams
Tho. ^s Merrill	Purnell Brittingham
Simpson Merrill	William Wood
Benjamin Henderson	Geo. Wilson
Arthur Addison	Edw. ⁴ Beauchamp
W. ^m Henderson	Ezekiel Young
Elisha Jones	Isaac Marshall
Jesse Powell	Thoms Marshall
William Merrill	Thoms Marshall
John Blades [?]	Phillip Addams
David Long	Jeffery Mitchell
William Conner	Peter Dickeson
Beniam Henderson Ser.	Elaxander Parker
Britain Powell	W. ^m Moore
John Pollit	Richard Haff [?]
Jam ^s Henderson	Joshua Haff [?]
Jonathan Stevinson	Stephen Marshall
Sam. ¹ Mills	Dannil Beauchamp
John Merrill	Philip Addams
John Schoolfield	Benjamin Scott
Thomas Layfield	Robert Taylor
James Stevenson	John Handy
Williams Tills [?]	Levi Addams

Sollaman McCrady
Phillip Addams
John Williams
William Hall
James Curtis
George Layfield
Joseph Barret
William White
Ephriam Addams
David Lankford

Elijah Matthews
Thomas Beacham J.^r
Obid Riffin
Cyrus Wanern [?]
Josiah Long
Jesse Hall
John Beauchamp
William Beauchamp
Jesse dakes

VI

THE LETTER, DATED JUNE 24, 1768, FROM THE
SPEAKER OF THE LOWER HOUSE OF THE
MARYLAND ASSEMBLY IN REPLY TO
ONE FROM THE MASSACHUSETTS
HOUSE OF REPRESENTATIVES
ON THE TOWNSHEND ACTS

[THIS LETTER FROM ROBERT LLOYD, SPEAKER OF THE LOWER HOUSE OF THE MARYLAND ASSEMBLY TO THOMAS CUSHING, SPEAKER OF THE HOUSE OF REPRESENTATIVES OF MASSACHUSETTS, DATED JUNE 24, 1768, WAS WRITTEN UNDER ORDERS FROM THE MARYLAND HOUSE IN REPLY TO THE CIRCULAR LETTER FROM THE MASSACHUSETTS HOUSE ADDRESSED TO THE LOWER HOUSES OF THE SEVERAL COLONIES, SUGGESTING THAT THEY CONSULT AS TO THE BEST STEPS TO TAKE "TO HARMONIZE" THEIR PROTESTS AGAINST THE RECENTLY ENACTED TOWNSHEND ACTS, TAXING TEA, GLASS, PAPER, AND PAINTERS' COLORS BROUGHT INTO THE COLONIES. ORDERS WERE ISSUED BY GEORGE III TO THE SEVERAL GOVERNORS, DIRECTING THEM TO PREVENT ANY NOTICE BEING TAKEN OF THIS COMMUNICATION AND TO DISSOLVE IMMEDIATELY ANY ASSEMBLY WHICH SHOULD ATTEMPT TO DO SO. THE MARYLAND LOWER HOUSE EVADED THE COMMANDS OF THE KING TO THE GOVERNOR AS TO DISSOLUTION BY ADOPTING JUST BEFORE ADJOURNMENT A PETITION OF PROTEST TO THE KING, AND BY DIRECTING ITS SPEAKER TO REPLY TO THE MASSACHUSETTS HOUSE, EXPRESSING ITS APPROVAL OF THE ACTIONS WHICH THIS COLONY HAD TAKEN. THIS LETTER, DATED AFTER ADJOURNMENT, DOES NOT APPEAR ENTERED IN THE JOURNAL OF THE LOWER HOUSE, BUT WAS PRINTED IN THE JULY 28, 1768 ISSUE OF THE ANNAPOLIS *Gazette*, FROM WHICH IT IS REPRINTED HERE. SEE PAGES lix-lxiii, cviii.]

*Maryland
Gazette*
July 28, 1768

Province of Maryland, June 24, 1768

To the Honourable Thomas Cushing, Esq; Speaker of the Honourable House of Representatives of Massachusetts-Bay.

Sir,

I had the Honour to receive your Favour of the 11th of February last, and on a Meeting of our Assembly, I communicated it to our House, and I am desir'd to assure you, they acknowledge themselves oblig'd, by a candid and free Communication of Sentiments of a Sister Colony, on a Point so interesting to the whole; and that their Opinion of the Consequences to the Colonies, of the Operation of the several Acts of Parliament you allude to, coincide exactly with

yours, and that they are persuaded of the Necessity of harmonizing as much as possible, in proper Measures for Redress.

This House, upon considering the Acts of Parliament, prepared an humble, dutiful and loyal Petition to his Majesty, setting forth, That it is a fixed and unalterable Principle, in the Nature of Things, and a Part of the very Idea of Property, that whatever a Man hath honestly acquired, cannot be taken from him, without his Consent; that this immutable Principle is ingrafted, as a fundamental, into the English Constitution, and is declared, by Magna Charta, and the Petition and Bill of Rights, and from thence every British Subject, the most distant, is justly intitled to all the Rights of Englishmen; that this Right is further declared and confirmed by our Charter; under the Confidence whereof our Forefathers encountered every Difficulty, to settle this Colony, which, under Providence, has increased his Majesty's Subjects, extended the Trade, and added to the Wealth of the Mother-Country; That we have always been permitted to enjoy this Right, until lately; that we are not, nor can we ever be effectually represented in the British Parliament; and that these Statutes do, in our Apprehension, infringe the great fundamental Principle, that no Man can be taxed, but with his own Consent, given by himself or his Representative. This, Sir, is the Substance of our Petition, and I am ordered to transmit it to Charles Garth, Esq; special Agent for our House of Delegates, to be presented, and we shall request him to co-operate with yours, and the other Colony Agents, in endeavouring to procure us Relief, and hope with you, his Majesty's great Goodness of Heart will incline him to receive the dutiful Supplications of his remote Subjects with Favour and Attention.

Just before the Close of our Session, we received a Message from our Governor, a Copy of which you have herewith; and also a Copy of the Address by our House, in Answer thereto, which will fully convey to you their Sentiments on the Subject.

I am, in the Name,

and by Order of the House of Representatives,

Sir, with great Respect,

your most humble and obedient Servant,

Robert Lloyd, Speaker.

VII

PETITIONS FOR AND AGAINST REMOVAL OF THE
COUNTY SEAT OF BALTIMORE COUNTY FROM
JOPPA TO BALTIMORE TOWN, 1768

A. PETITIONS FOR REMOVAL OF THE COUNTY SEAT

[THE PETITIONS FOR REMOVAL OF THE COUNTY SEAT FROM JOPPA TO BALTIMORE TOWN TOTAL FORTY-ONE IN NUMBER. THEY ARE DISCUSSED AT LENGTH IN THE INTRODUCTION (PP. lxxxvi-xc). THEY ARE ALL IN PRINTED BROADSIDE FORM, THE SIGNATURES FOLLOWING THE PRINTED TEXT, WHICH RECITES THE REASONS WHY REMOVAL WAS URGED. THESE BROADSIDES, PRINTED BY NICHOLAS HASSELBACH OF BALTIMORE, FALL INTO THREE GROUPS—TWO OF THESE GROUPS ARE PRINTED IN ENGLISH ALONE, AND ONE GROUP IN BOTH ENGLISH AND GERMAN. THE PHRASEOLOGY OF ALL PETITIONS IS THE SAME, BUT THERE ARE SLIGHT DIFFERENCES IN TYPE SET-UP, AND BETWEEN THE TWO GROUPS PRINTED IN ENGLISH ALONE IN THE ABBREVIATIONS FOR WORDS. THESE DIFFERENCES ARE DISCUSSED IN DETAIL BY LAWRENCE WROTH IN HIS *A History of Printing in Colonial Maryland* (PP. 232-233). WROTH DESIGNATES THE MORE NUMEROUS OF THE TWO ENGLISH GROUPS, SOME THIRTY BROADSIDES, AS NO. 286; IN THE PETITIONS WHICH FOLLOW THESE ARE I-28 AND 35-36. THE SMALLER GROUP OF FOUR BROADSIDES IN ENGLISH, A SLIGHT VARIANT OF THE LARGER GROUP AND DOUBTLESS A LATER ISSUE FROM THE PRESS, ARE DESIGNATED BY WROTH AS NO. 285; OF THIS GROUP ARE PETITIONS 37 AND [39]-[41]. THE ENGLISH-GERMAN BROADSIDE GROUP DESIGNATED BY WROTH AS NO. 287 EXIST IN ONLY ONE PRINTED FORM, ARE SEVEN IN NUMBER, AND FOLLOW AS PETITIONS 29-34 AND [38].]

[The following Advertisement preceding the petition roll is in manuscript form]

Advertisement

Maryland
Historical
Society

In Compliance with a Resolve of the Honourable the Lower House of Assembly, Publick Notice is hereby given that a Petition will be preferr'd by the Inhabitants of Baltimore County to the next General Assembly of this Province for an Act of Assembly to be passed, for the Removal of the Seat of Justice from the Town of Joppa—Purchasing Land and Erecting a Publick Court House and Prison thereon in Baltimore Town, for the better and more Effectual administration of Justice

Maryland Ss.^t On the 27th day of January one thousand Seven hundred and Sixty eight came Absalom Butler before me the Subscriber one of his Lordships Justices for Baltimore County and made Oath on the Holy Evangelist of Almighty God that between the eleventh day of January One thousand seven hundred & sixty Eight and the Twenty fifth day [of the] same month and year, he Sat up true Coppies of the above [Advertise]ment at the following places in Baltimore County, viz.^t

At the Door of the Court House in Joppa
 At the Church Door of Saint Pauls Parrish
 At the Church Door of Saint Thomas's Parrish
 At the Church Door of Saint Johns Parrish
 At the Church Door of Saint Georges's Parish
 At the Door of the Chappell of Saint Georges's Parrish
 At the Door of the Chappell of Saint Johns Parrish
 At the House called Saint Thomas's Chappell in Saint
 Thomas's Parrish

Sworn before

Absalom Butler

Benjamin Rogers

[Printed broadside petitions 1-28]

To His Excellency Horatio Sharpe, Esquire, Governor and Commander in Chief in and over the Province of Maryland, and, To the Honorable the Upper and Lower Houses of Assembly of the said Province: The Petition of the Subscribers, Inhabitants of Baltimore County, Humbly Sheweth,

That the present Court-House for Baltimore County, situate in Joppa, is considerably too small for transacting therein the Business of the County with Convenience, being the smallest in the Province:

That the same is greatly out of Repair, and the Offices thereof so confined, as not to admit of sufficient Regularity in ranging the Papers; and the whole Building is slight, and insecure for the Purpose of Keeping the Public Records, whereon the Estates of many of His Majesty's Subjects of this County, and elsewhere, depend; which are thereby, and from its lonesome Situation, exposed to the open Attempts of malicious ill-designing or wanton People being executed without Alarm.

That, the County-Jail, from its original ill Construction, has been a continual Expence to the County, and although large Quantities of the Public Tobacco have been frequently levied and expended thereon, hath always proved defective and insufficient to restrain the Attempts of Criminals and other Prisoners; great Numbers of whom have escaped to the Loss and Vexation of the Sheriffs and Suitors,

and not a little to the Discredit of the County; and there being no Yard or back-Window to the said Prison, or Draft of Air through the same, such Prisoners as do not escape, suffer additional Misery from the Loss of their Health.

These Considerations alone, your Petitioners humbly hope may justify their present application for a new Court-House and Prison. But, your Petitioners further shew, unto your Excellency and Honours That the said Town of Joppa is on a low Peninsula, the Isthmus into which is so miry, as to be often nearly impassable, especially after high Tides, or heavy Rains, which overflowing the Isthmus, reduce the Situation of the Town to an Island: From whence and from the Want of navigable Water up to the said Town, and for many Miles below it, other than for Shallops and smaller Vessels; and also from the Length of Time the said Town has been laid out, and its little Improvement, or Increase of Inhabitants, Your Petitioners cannot flatter themselves with the most distant Hopes of any favourable Alteration therein and from the Scarcity of Houses and necessary Accommodation in the said Town of Joppa, the People, who attend the Courts, are for the most Part obliged to ride by Night to their Houses or Country Neighbours for Lodging, in all Weathers, whereby they are often exposed to the Danger of Catching Colds, Pleurisies, and other Disorders; early Adjournments and late Meetings of the Courts are unavoidable, and the Public Business, greatly retarded

That the Town of Baltimore is free from the Inconveniences to which Joppa is subject; there being therein Houses sufficient to accommodate, with Ease and in Plenty, much greater Numbers of People than are used to attend our Courts; and from the Number of its Inhabitants, a Court-House and Prison would be better secured against the Attempts aforesaid: That the said Town of Baltimore is situate on a fine River, navigable for large Ships, and within a few Years past has greatly encreased in Trade, and is daily increasing therein and in Buildings, Inhabitants, Merchants, Mechanics, and others; insomuch that the dealings of the Planters, Farmers, and other Country People of the County are carried on there, as at a regular and certain Market, where our Provisions, and every Thing we make, may at all Times find a ready Price, and to which the major Part of the People of the County already resort and trade, and others are daily more and more resorting thither from all Parts of our County; not only to sell their Plantation-Produce, but for the doing of most Sorts of Business; so that whoever might be obliged to attend the Courts, would at the same Time be in the Way of negotiating their common Concerns; their Attendance on the Public Service would be rendered easy and light, and regularly and chearfully given, and none of the said Inconveniences attending the present County-Duty would be felt: And

that although the Town of Baltimore should be found not so central as Joppa, it cannot, as we humbly apprehend be an essential objection of Inconveniency, especially as we have the Example and Experience of our neighbouring Colonies, and of most of the Countries in the World to assure us of how little Weight such an Objection has always been held, when opposed to even much less Advantages than are above enumerated. ————— Your petitioners therefore humbly pray Your Excellency and Honours, will be pleased to take the premises into consideration and pass a Law for Disposing of the Ground and Materials of the present Court-House and Prison of this County, and for the Purchasing Ground, and Building a Court-House and Prison, for the said County, in the Town of Baltimore aforesaid, for the Courts for the said County to be held in the said Court-House, and that the same be directed to be made staunch and convenient, and well constructed against the Danger of Fire, as to Your Excellency and Honors shall seem meet.

And Your Petitioners will ever pray, &c.

[At the end of this printed petition form are the following tabulations in a contemporary hand, showing the number of signers to each of the several thirty seven consecutively numbered petitions favoring removal. These are tied together with contemporary red tape in one roll. The tabulation gives the number of signers as 2094, but a re-tally of the somewhat mutilated sheets reduces those that can be now counted to 2076. These are printed on pages 524-563. This roll is followed by four other printed petitions favoring removal, forming a separate series, which show a contemporary tabulation of 177 additional names. These are printed on pages 563-565. Only 118 signatures can now be counted on these four defective sheets. These two contemporary tabulations show a total of 2271 favoring removal. Of these only 2212 signatures can now be counted.]

N ^o 1	101	N ^o 17	31
2	274	18	[23]
3	40	19	[51]
4	44	20	[15]
5	19	21	[81]
6	51	22	[23]
7	52	23	[5]
8	26	24	[5]
9	24	25	[19]
10	28	26	45 [1605]
11	62	27	2
12	201	28	6
13	62	29	88
14	185	30	32
15	88	31	76
16	94	32	96

33	50
34	51
35	35
36	3
37	5
	489
	1605
	2094

[Note: The numbers of signers of petitions 18 to 25 are torn away from the above old tabulation and have been supplied by a count.]

[SIGNERS OF PETITIONS 1-28 FOLLOW ON THE ABOVE PRINTED
BROADSIDE FORMS:]

N.^o 1

W^m Mackubin
Tho. Cockey
Nich^s Clagett
Thomas Davis
W^m Cromwell
George Ashman
Sabrith Sollers
John Worthington
Thomas Todd
W.^m Randall
Edward Sweeting
Neale Haile

[Six signatures are missing here due to disintegration of paper]

Phil R^d Fran.^s Lee
Robert Willmott
Tho^s Johnson
Nicholas Britton
Edward Stevens
John Edwards
Joshua Owings
Rob.^t Long
W^m Westbay

James Richardson

Lawrence ^{his} L Richardson
mark

Lawrence ^{his} R Richardson J^r
mark
his

Alex^r ^{his} X Long
mark

Jacob ^{his} X Leafe
mark

Henry Rutter

[— ?] ^{his} ∞ Sindle
mark

Sam'l Owings

John Cockey

Francis Turner

Robert Mitchell

Daniel Curtis

Solomon ^{his} X Wheeler
mark

John ^{his} X Frederick
mark

William ^{mark} X Griffin	William Bond Whithead
Wm. Towson	Septimus Noel
Jo. Chenowith	^{his} Elisha E White
George Haile Jun. ^r	^{mark} Thos. Gist Junior
Cha. ^{rs} Ridgely	Thomas Rutter
Zekiel Towson	David M ^c Lure
John Price Junr.	^{his} John John Ensor Sen. ^r
Josias Penington	^{mark} David Moore Son John
William Ball	^{his} Thomas T Gladman
Jacob ^{his} I ^{mark} O Osler	^{mark} Jno Daughaday
William ^{his} W ^{mark} Wood	Henry Green
Thomas ^{his} X ^{mark} Greenwood	John Cretine [of] Deere
Thos. Worthington	Creek
Solmo. Wooden	Joel Higginbottom
Benja Wells	Sam. ¹ Harris, Susque-
Charles Wells	hanna
Sam. ¹¹ Worthington	John Buck
Isaac Griest	Thomas Johnson Jun ^r
William Moore	^{his} Edward E Lewis Sen. ^r
John Ross	^{mark} Edw. ^d Norwood
Benj. ^a Nelson	Francis Thomas
Thomas Rutter Jun	Christ. ^a Carnan
Thomas Skinner	William Young Jun. ^r
George Wells	Jonathan Hanson
Joseph Hamilton	^{his} John O Odle
James Morgan	^{mark} Benjamin Powell
Michael Fowler	^{his} Charles X Slagle
James ^{his} I ^{mark} Bosel	^{mark} [C]harles Orrick
Wm. ^{his} W ^{mark} Edwards (70)	—— Howland
Tho. ^s Jarreld	T[ho]mas Constable
Henry Stevenson Son	Tho. ^s Sollers
of Edward	

[On this Petition is endorsed:]

Handed to the within subscribers p Benjamin Rogers

No. 2

John Gill
 Edw^d Gill
 James Leakin
 George Campbell
 William Piper
 John Howlett
 Robard Sandarson
 ^{his}
 Willum **X** Hodges
 ^{mark}
 ^{his}
 Warner **X** wood
 ^{mark}
 Edward Mason
 Conduces Gatch
 Jacob Myerer
 ——— Grey
 John Mash Juner
 ^{his}
 Epham **E** Gray
 ^{mark}
 ^{his}
 Wm. **X** Bosell [?]
 ^{mark}
 Daniel Stansbury
 ^{his}
 John **X** Mash Sen.^r
 ^{mark}
 Salathiel Cole
 Caleb Warfield
 Nathaniel Stinchcomb
 James Buchanan
 ^{his}
 William **X** Wheeler Sen.^r
 ^{mark}
 Willm. Coale
 Edward Bosman
 ^{his}
 Thomas **X** Gulliver
 ^{mark}
 ^{his}
 Thomas **T** Stevens
 ^{mark}
 ^{his}
 William **W** Lynch
 ^{mark}
 thomas downy
 Henry helm [?]
 Mord [—— ?]
 Luke Trotton

Tho.^s Kitten
 John Colegate
 Benjamin Hood
 Robert Ricks
 ^{his}
 Thom.^s **G** Green
 ^{mark}
 Jam.^s Everett
 Ab.sm Price
 Absalom Butler
 ^{his}
 Edw^d **E** Swan
 ^{mark}
 John Malloonee
 Elijah Bailey
 Heinrich lang
 Henry Long in English }
 W.^m Marnie [?]
 Joseph M^callister
 Jonas Mash
 Isaiah Vansant
 William Wallace
 John Wallace
 Leonard Helm
 pilib Peter
 Philip Fotcher in English }
 Stephen Wooden
 george Robison
 ——— Straher
 Jesper Starr in English }
 John Gardner [?]
 ^{his}
 William **X** Miller
 ^{mark}
 John Smith
 John Slemaker
 Charles Rogers
 John Cook
 Rob.^t Sanders Jn.^r
 ^{his}
 William **X** Pricheard
 ^{mark}
 ^{his}
 Morgan **X** Mading
 ^{mark}
 Peter ———
 ^{his}
 Wm. **X** Brian
 ^{mark}

Nicholas Walker
Edward Ware

^{his}
Samuel **X** Ward
_{mark}

Jacob Cromwe[ll]

Mordeca Price

Sam.¹ Bowen

Edward Bowen

W.^m Pearce

^{his}
Wm. **X** Con
_{mark}

^{his}
Leven **L R** Robert
_{mark}

^{his}
James **I** Everitt Sen
_{mark}

Michael Kro - - -

John ———

^{his}
William **W** Denton
_{mark}

^{his}
Risen **R** Gaines
_{mark}

Edmund Baxer Jun

Sam¹ Sollers

^{his}
Wm **W** Homes
_{mark}

Edward Radoston [?]

^{his}
James **X** Kelly D. Creek
_{mark}

Nich.^{ls} Merryman son
Sam.¹

Johannes ———

John Ebert

^{his}
Melkier **M B** Buyer
_{mark}

^{his}
Adam **A** Buyer
_{mark}

^{his}
Rich^d **R** Roles
_{mark}

Samuel Norwood

John Motherby

^{his}
James **I B** Barton Junr.
_{mark}

John Smith Carpen

^{his}
John **X** Hall 100
_{mark}

^{his}
James **X** Barton
_{mark}

[E]^w^d Edwards

[J]ames MCree

Valentine Hurd in English }

Edmund Neal

William Boring

William Smith

Mich ——— }

Michael Haines in English }

^{his}
William **W** Gosnell
_{mark}

^{his}
John **J** Clarke
_{mark}

[— ?] Webster

[— ?] [— ?]

Geo : Buchanan

James Rodgers

Jehu Howell

^{his}
Morriss **M B** Baker
_{mark}

^{his}
John **X** Patterson
_{mark}

^{his}
Benj.ⁿ **X** Crage
_{mark}

^{his}
William **X** Wodley
_{mark}

^{his}
Rob.^t **X** Solomon
_{mark}

And.^w Hooke

^{his}
Joseph **I T** Tea
_{mark}

Joseph Robinson

^{his}
John **X** Smith Dutchⁿ
_{mark}

Antoine Carriere

Sam.¹ Simpson

James Dunn

George ^{his}**B** Adam Beard
mark

Jacob ^{his}**X** Wileman
mark

Daniel Lett
Ed.^w Pontany

^{his}
John **X** Godert
mark

Samuel Bernnett
Gilbet Miland [?]
Henry Pemberton Ju.^r
Ema.^l Teal
John Penn

^{his}
George **X** Green Jun^r
mark

Ezekiel Bazill

^{his}
Jn^o Cornelius **X** Gash
mark

^{his}
Thomas **+** Jones, Plan.^r
mark

Son of Harmon Greathouse
Edward Lewis
George Tuegail

^{his}
Wm. **X** Watson
mark

Benjamin Howard
John Welsh
Chris. Randall Ju.^r
William Ottey
W Isgrig Sen^r
Thomas Mills

^{his}
John **X** Taylor
mark

Philip Barnethow }
Phillip Barnetharse }
Char Peirepoint

^{his}
John **X** Prince
mark

Edwar.^d Lowry
Rich.^d Carter
Aquila Johns
John Bosley Juner

^{his}
William **W** Black
mark

W^m Winchester
Isaac Hicks
John Chapman
Wm Wells
John Simpson
William Wright

^{his}
James **I B** Bonnady
mark

^{his}
William **O** Burk
mark

Bale Randall
Arthur Chenoweth Jr.
Daniel Miller
Henry Dunn
William Bell
Thomas Gent
George Sank
William Jones
William Wright
Robert Hall
J. Gardner

^{his}
John **I** Young
mark

Stephen Haile
Samuel Coale

^{his}
John **X** Tibbon
mark

Thomas Stansbury
Edward Hanson

^{his}
Abraham **X** England
mark

Will.^m Phillips

^{his}
Thomas **X** Hunt
mark

Joseph Perigo
Johannes ————— }
John Stover in English }
John Condon
John Stinchcome

^{his}
John **I** White
mark

David Wake	Charles ^{his} C F Frizell
Tho. ^s Williamson	^{mark}
David Gorsuch	Law. ^{re} Hammond Balt. ^{re}
Christian Aple in English } (200)	C. Bramwell
Johannes ———— ? }	Denness ^{his} X Ryely
John Sower, En. ^h }	^{mark}
J. Cockey Owings	Abraham Walker
Benjamin ^{his} T James	Samuel ^{his} S Stansbury Sen ^r
^{mark}	^{mark}
Alex. ^r Vaughon	Isaac James
Joseph Murray	Jacob Young
W. ^m ^{his} W Wells Jun ^r	Tho ^s Matthews
^{mark}	James ^{his} X Brown (248)
Amon Butler	^{mark}
John ^{his} R Roberts	Valentine Larsch
^{mark}	William Heath
Tho. ^s ^{his} T M Mash	W. ^m Lock
^{mark}	Robert Woods (252)
Samuel Cookson	David Richards
Benj. ^a Bowen Jun.	Joshua Sharpless
Adams ^{his} X Shipley Son of (214)	John Chalmers
^{mark} Charles	William Gourlie
Thomas ^{his} X Marshal J. ^r	Henry ^{his} X Craymer
^{mark}	^{mark}
George ^{his} X Chiles	Mathias ^{his} J Cannel
^{mark}	^{mark}
N ^{his} X Alan [?]	Michael Engel }
^{mark}	Michel Angle, English }
Jarvis Biddison	Michael Reichart }
John Sergeant	Henrech ——— }
Richard ^{his} W Williams	Henry Pearkin, English }
^{mark}	James Quin
John Morgan	Thomas Alexander
William Shaw	Joñ Hoñer [?]
Thomas ^{his} X Shaw	Paul Penington
^{mark}	Ja ^s Grayburn
James ^{his} I Wood	Benj ^a McMahon
^{mark}	Simon Reichart (271)
	Aaron Rawlings
	William Finn
	Joshua Lynch (274)

[On this petition is endorsed:]

Handed to the several subscribers ꝑ Benjamin Rogers

No. 3

Joshua Hall
 Henry Sater
 Watkins ^{his} **X** James
 mark
 Rich.^d Colegate
 Benjamin **B** Price
 Joshua Hall Jun.^r
 ——— ? ——— ?
 John Clairy
 ^{his}
 Abraham **X** Coles
 mark
 Gist Vaughan
 Thomas Hickson
 ^{his}
 Benjamin **B H** Hookes
 mark
 Nathan Wheeler
 ^{his}
 Thomas **T T** Tudor
 mark
 John Green (Son Robt)
 John **I T** Tipton
 John Norton
 Christopher Murray
 Aquila Price
 ^{his}
 Charles **C G** Gorsuch, son
 mark Charles
 ^{his}
 James **B** Bosley
 mark
 William Brown
 Wm. Browne son of
 george
 Samuel Price

John Taylor late of Joppa
 Jn.^o Willmott
 John Taylor Jun.^r
 Sam^l Bond
 T - - - Hamond
 Morde Tipton
 ^{his}
 Jasper **X** Hall
 mark
 ^{his}
 John **J P** Pearse
 mark
 Benjamin Wheeler
 Charles Brooks
 Samuel Brooks
 ^{his}
 William **W M** Marryman
 mark
 Thomas Stansbury
 ^{his}
 Thomas **T** Cole Jun.^r
 mark
 ^{his}
 Benjamin **B** Long
 mark
 ^{his}
 John **I T** Tyler
 mark
 ^{his}
 John **X** Green
 mark
 Thomas Rowland
 Robert Parker
 ^{his}
 Edward **E** Edwards
 mark
 ——— ? ——— ?
 Joseph H - - -

(40)

[On this petition is endorsed:]

Handed to the several subscribers p John Hall &
 John Merryman S.^r

No. 4.

John Bardell
 John Stocksdale
 Thomas Evans
 John Pitts
 Tooley Dailey
 ^{his}
 [Ja]mes **X** Spring
 ^{mark}
 Job Hunt
 Joshua Bond
 ^{his}
 Will.^m **X** Parks
 ^{mark}
 ^{his}
 Henry **H** Pemberton
 ^{mark}
 ^{his}
 James **J** Kelley
 ^{mark}
 John Banks
 Chri.^s Thonback
 Tho.^s Gist
 Francis **F** Brothers's mark
 W^m Ambrose
 Edw.^d Talbott
 Aquilla Conaway
 Nathan Kelley
 Jacob Cox
 Stephen Wilkinson

Benjamin Banneker
 John Stinchcomb
 Edw.^d Cockey
 John Gosnell
 Ethan Loveall
 David Rowles
 Benjamin Talbott
 Henr Lewis
 Peter Houk
 ^{his}
 Thos **T** Cole
 ^{mark}
 Mycajah Merryman
 Phinehas Hunt
 Jonathan Plowman
 Edward Mason Jr.
 James Comly J^u
 John Murray
 Peter I Igoe's mark
 Nathan Headington
 ^{his}
 W.^m **W T** Tiptons
 ^{mark}
 Nicholas Murray
 Thomas J.^s Coats
 William Trapnall
 John Lane

(44)

[On this petition is endorsed:]

Handed to the several subscribers ꝑ Andrew Buchanan

No. 5

Jabez Bailey
 Edw.^d Owings
 Oliver Cromwell
 John Ford
 Zachariah Gray
 ^{his}
 Nathan **X** Joyce
 ^{mark}
 Thomas Tucker
 George Ashman Ju.

^{his}
 Luke **O** Johnson
 ^{mark}
 Nathan Bowen
 ^{his}
 Nathan **X** Corbin
 ^{mark}
 Sam^l Bailey
 George Haile
 Cha.^s Ridgely son W.^m
 George Alger [?]

Jam^s ^{his}**X** Woodward
mark

Tho^s Wantland

Henry ^{his}**H C** Cross Jun^r
mark

Henry ^{his}**X** Rock
mark

(19)

[On this petition is endorsed:]

Handed to the several subscribers ꝑ Jonathan Plowman

No. 6

Elisha Dorsey
Samuel Price son of
Thomas

Joseph Peregoy
Thos : Randall

Benjamin ^{his}**B** Gorsuch
mark

Jacob Scott
William Hayward
John Gorsuch the son of
Jno.

Nathan ^{his}**N** Johnson
mark

Ephraim Rutledge

Daniel ^{his}**X** Powell
mark

Alexius Lemmon Juner

Daniel ^{his}**X** Collett
mark

John ^{his}**I** North
mark

Richard Deaver

Muck [?] ^{his}**X** Burk
mark

Thomas ^{his}**T P** Price
mark

William ^{his}**W** Parrish Jun.^r
mark

Francis Hunn
Francis Miller

Stephen Gorsuch
John Gorsuch Sen^r
William Nelson Juner

John ^{his}**J** Stewart
mark

Rich.^d ^{his}**R** Baskett
mark

Thomas ^{his}**T** Eagle
mark
T Rogers

Francis ^{his}**F W** Wilkins
mark

William ^{his}**W** Hall
mark

Jacob Johnson

William ^{his}**S** Sinkler
mark

Willm Burton

Skilten ^{his}**S** Standfer Jun.^r
mark

William Corbin
Vinson Corbin
Zabulon Hedington
Abel Hedington

Nicholas ^{his}**N** Corbin
mark

Jacob ^{his}**R** swalsholder
mark

Adam ^{his}**X** slupnar [?]
mark

Joseph Scarff

his
Walter **X** Pirdew
mark

his
William **W** ensor
mark

Timothy Mahony

his
Beniamen **O** Corbin
mark

his
Danel **X** Smith
mark

his
Edward **X** Corbin Senr
mark

Joh John Syer

Joseph Syer

J.^o ChenowethGeorge Harryman Jun^r

Charles Gorsuch the son

of John (51)

[On this petition is endorsed:]

This Petition handed to the several subscribers p Charles Rogers

No. 7

Samuel Mummey

Alex.^r Wells

Nathal Owings

Wm. Marsh

Ew.^d Wonn Juner

Stephen Hart Owings

William Bagford

Stephen Treacle

John Robinson

Abel Leatherbury

John Hurd

Joseph Speight

William Peddicoart

Jasper Peddicoart

Nicholas Peddicoart

William Gardner

Edward Hamilton

John Todd

Nathan Peddicoart

Tho.^s Simpkin

Isaiah Baker

William Murphey

William Gist

Thoms Stockdell

Michael Gladman Se.^rMichael Gladman Ju.^r

Edward Ousler

Alexander Parker

Robert Marshall

his
John **H** Hodg
mark

Wm. Willson

James Dinsmoor

James Homes

Willom Curlagh

James Wattson

William Wilson sener

Bengeban Arnold

Ely Oursler

James Stens

Mikell madeken

Richard Odle

John Lemans

Samuel Lane

his
Thomas **T** Smith
mark

his
Thomas **V** Fowler
mark

John Cornelius

Charls Kelley

Petter gosnell

thomes ^{his} **T P** Armes
mark
Henry Leavins

Thomas Leavirs
Edward Wonn

(52)

[*On this petition is endorsed:*]

This petition handed to the several subscribers ꝑ Alexander Wells

No 8

Thomas Cradock Rec.^r of
St. Thos.

Wil. Lyon
Abel Brown Sen.
Nicho.¹ Orrick
William Weecor [?]
Nath.¹ Stinchcomb Ser
Thomas Wells
Henry Crooks
John Ward
Samu.¹ Bell
John Bell
John Wood
Richard Wells

Patrick Mackinley
John Morreson
W.^m Gaddis
John McIlwain
Arthur Cradock
John Cradock
Aaron Hawkins
Charles Walker
Jacob Madery
Johannes Heifer
John Low
Richard Howard
John ^{his} **X** McGee
mark

26

[*On this petition is endorsed:*]

This petition handed to the several subscribers ꝑ Doc.^t William Lyon

No. 9

Oliver Matthews
Nicholas Baker
Lott Owings
William Barney
Benj.^a Bowen
Darby Lux

^{his}
Samuel **X** Lett
mark

^{his}
Nath.¹ **N** Davis
mark

Michael Dochterman
^{his}
Anthony **X** Arnold
mark

John Lewis
Joseph Partridge
^{his}
John **X** Wooding Sen^r
mark
^{his}
John **I** Howard
mark
David Mackelfresh
^{his}
John **X** Lant
mark
Samuel How
^{his}
John **X** Lee
mark

Joseph ^{his}**M** Miller sener
mark

John Read
Nicholas Smith
John Calvert

Andrew ^{his}**X** Hippinhammer
mark

24

Jacob ^{his}**O** Greer
mark

[On this petition is endorsed:]

This petition handed to the several subscribers τ William Lux &
Benj.^a Rogers

No. 10

Joseph Cromwell
Benj.^a Barney
John Jones
William Kelley
Nathan Cromwell
Rich.^d Owings
John Pindell
William Jones
Stephen Cromwell
Thimey Ragan
Charles Gorsuch Sen.
John Hall
Neal Lamont
John Boone
Joshua Gist
William Cockey

Humphrey Brooks
John Griffith
^{his}
James **I** Griffith
mark
Thomas Worrel
^{his}
William **X** New
mark
Robert **O** King
Philip Pindell
Richard Fortt
Tho.^s Bennett
Peter Bond
William Bell
Ja.^s Welsh

(28)

[On this petition is endorsed:]

This petition Handed to the several subscribers τ
Joseph Cromwell Senior

No. 11

Job Jacob Basler
^{his}
Thomas **X** Shettleworth
mark
John Gilliss

Will.^m Aisquith
Jacob Hart
Leonard Campbell
Johannes Tschudi

W.^m Beavan
 Matthew M^cKinnie
 Elias Barnaby
 John Hunter
 John Lainy
 Josias Shinton
 George M^cLaughlin
 A. Stenhouse
 Ja.^s Franklin
 James Armstrong
 Zach.^h Mackubin Ju.
 Tho.^s Jones
 John Read
 Philip Parks
 John Wiesenthall
 ^{his}
 John X Clements
 ^{mark}
 Geo. Daffin
 Tho.^s Towson
 Sam Roddey
 Sam^l Smith
 Nic.^s Sinnett
 ^{his}
 W.^m X Nott
 ^{mark}
 John Williamson
 ^{his}
 George X Grim
 ^{mark}
 ^{his}
 Benjamin X Jones
 ^{mark}
 Hugh Dougherty
 Thomas Lenthall
 James Mayes

George Dacon
 George Gentle
 John Curtis
 Joseph M^cVeagh
 ^{his}
 John I Jones
 ^{mark}
 Jn.^o Samuels
 Thomas Marshall
 George Leigh Jun.^r
 Hans Rudie Gallman
 ^{his}
 Davis X Hamlind
 ^{mark}
 Tho.^s M^cNimara
 Richard Cromwell
 Mark Brown Sappington
 Richard Goodman
 John Sterett
 Worler[?] Linschinker[?]
 Lewis Weston
 Rob.^t Christie Jun.^r
 John Fitzgerald
 ^{his}
 Patrick X Hensey
 ^{mark}
 Jams Richardson
 Johannes Tschudi, Juner
 James Potter
 ^{his}
 Henery X Rock
 ^{mark}
 Jos. Gardner
 ^{his}
 Ulrich X Brobeck
 ^{mark}
 William Johnston

[On this petition is endorsed:]

The petition Handed to the several subscribers p
 John Merryman Jun.^r

No. 12

Thomas Chase
 Jn.^o Smith
 W.^m Spear
 And.^w Buchanan
 N. Ruxton Gay
 Alex.^r Stewart
 Joseph Cromwell Jun.
 Jo.ⁿ Hopkins
 Nicholas Hopkins
 Benj.^m Merryman
 John Boyd
 Clement Brooke
 Mark Alexander
 Rich.^d Hopkins
 Rob.^t Alexander
 John Bond
 John Foster
 Job Evans J.^r
 William Cromwell Jun.
 ^{his}
 John **X** Willson
 ^{mark}
 Zebediah Gosnell
 John Woodward
 ^{his}
 Jacob **I F** Frizell
 ^{mark}
 ^{his}
 John **X** Frizell
 ^{mark}
 ^{his}
 Thomas **X** Cook
 ^{mark}
 Joseph Gist
 David Brown
 George Ensor Juner
 ^{his}
 Absalom **A B** Boreing
 ^{mark}
 ^{his}
 Wheeler **X** Murray
 ^{mark}
 William Hicks
 George Tye
 ^{his}
 Nathan **X** Hawkins
 ^{mark}
 ——— ? ——— ?

^{his}
 Benjamin **B** Ristone
 ^{mark}
 John Wooden
 ^{his}
 Mathias **X** Wasenor
 ^{mark}
 ^{his}
 Elexious **E L** Lemmon
 ^{mark}
 John Talbott son Edw.^d
 Stephe Gill Wooden
 ^{his}
 William **W** Denmitt
 ^{mark}
 Thomas Ford son of John
 ^{his}
 Abraham **A** Green
 ^{mark}
 Job Evans
 Joseph Merryman
 Job garrison
 Solomon Bowen
 John Fishpaw
 ^{his}
 Isaac **X** Rawlings
 ^{mark}
 ^{his}
 William **W** Rawlings
 ^{mark}
 William Pearce
 William Johnson
 ^{his}
 William **W** Wesson Junr.
 ^{mark}
 Samuel Merryman
 ^{his}
 Hethcoat **W** Pickett
 ^{mark}
 Stephen Ford
 William Stansbury
 ^{his}
 Elijah **E** Bosly
 ^{mark}
 ^{his}
 Robert **R** Straffon
 ^{mark}
 ^{his}
 Edward **X** Clats
 ^{mark}
 Nicholas Merryman

W.^m Worthington
Benjamin Tracey
Hill Tanay

^{his}
John **J** Oram
^{mark}

John Ensor son of George
William Hunter
Abraham Ensor
Joshua Leygitt
John Ensor son of
Abrham

James Leggitt
Humphrey Chilcote
Thomas Burk
William Kemp

^{his}
John **X** Chilcoat
^{mark}

Joshua Chilcote
Richard Cole
John Bond
Martin Beard

Joseph Burton
^{his}
John **I** Cross
^{mark}

^{his}
Martin **M H** Houck
^{mark}

Abraham Hicks

^{his}
John **I** Melone
^{mark}

^{his}
John **X** Tye
^{mark}

^{his}
Nemiah **X** Hicks
^{mark}

John Stansbury

^{his}
John **X** Corbin
^{mark}

Thomas Wills Junr.
Abell Brown Jun.^r
Richardson Stansbury
William Noon
Josias Green

^{his}
Thomas **T C** Cullings
^{mark}

Solamon Cross
William Wilson
Samuel Fortt

^{his}
Isaac **I** Green
^{mark}

George Green
Samuel Tipton
Edward Young
Thomas offout Rand
Shadwell Green
Robert Bazell

^{his}
Nicholas **N** Gash
^{mark}

Roberson Chilcote
John Lemmon
Jarvis Biddison

^{his}
William **W** Whittington
^{mark}

^{his}
Suttin **X** Legit
^{mark}

Sater Stevenson
William Peddicourt Jun.

^{his}
Charles **X** Haile
^{mark}

Rich.^d Daughaday
Benjamin Burgess Cheney

^{his}
Thomas **T** Galloway
^{mark}

Edward Browne
Larkin Randall

^{his}
John Roberts **R** Campbell
^{mark}

^{his}
John **I** Frazier Sen
^{mark}

John Carman

^{his}
Francis **F** Thornbury
^{mark}

John Parrish

^{his}
Mosis **O** Colet
^{mark}

^{his}
Shadrick **X** Hicks
^{mark}

John ^{his}**X** ^{mark}Keyth

Charles ^{his}**X** ^{mark}Phillips

Will ^{his}**O** ^{mark}Ball

Thomas ^{his}**T** ^{mark}Lane

Nehemiah Hicks

Adam ^{his}**A** ^{mark}**B** Birns

Stoppel ^{his}**X** ^{mark}Overgasht

Christopher ^{his}**C** ^{mark}Sence

Micle ^{his}**X** ^{mark}Hawn

Peter ^{his}**X** ^{mark}Sence

Bale Owings

Benjamin ^{his}**B** ^{mark}Roberts

Nathan perigo

John Spicer

Valentine Spicer

Samuel Meridith

Brittingham Dickeson

Isaac Few

Lawrence oyster

Hugh ^{his}**H** ^{mark}Griffiss

Will.^m ^{his}**W** ^{mark}Wright

Joshua Jones

Anthony ^{his}**X** ^{mark}Reader

John Sappington

Patrick Cretin

James ^{his}**I** ^{mark}**M** Marsh Jun.^r

Jno. Merryman

John ^{his}**I** ^{mark}Frazier Jun.^r

William ^{his}**W** ^{mark}Harden

Alexander Walker

Robert Beridges

James ^{his}**X** ^{mark}Grimes

Alexander Maidmell

Edward Corbin Juner

William Hendingtone

Josephus Ashman

David M^cLure

Edward Oursler

Aquila Galloway

Peter Squiers

Solomon Green

Richard ^{his}**X** ^{mark}Wheeler

Tho.^s Ward

William Kell

John Carlile

Rich.^d Owings

John Cromwell

Will Fehaham

Philip Sindal

Thomas Purgin

Samuell Sindall

Benj^a ^{his}— ^{mark}Jonson

James Mockee

John Tully Young

Joshua Chapman

Greenbury Baxter

Robert Green

Benjamin Price son Jn.^o

Richard ^{his}**X** ^{mark}Rawlings

Samuel Thompson Juener

John Thompson Jun.^r

Duncan Carmichael

Jacob Roberts

175 [sic]

185

William Cox	^{his} Jacob X Upperco
William Bates	_{mark}
Samuel Bromadge	Samuel Martin
Jn. ^o Spellman	Samuel Martin Junior
Philip Gover	Henrich Schneider
susque- hanah	^{his} John X Neal
	_{mark}

201

[On this petition is endorsed:]

This petition handed to the several subscribers ∇
John Merryman Jun.^r & John Leet

No. 13

Daniel Bond	Adam Carehart ^{his} mark +
Thomas Bond Jun.	
John Travis	^{his} Peter X Willmoth
James Travies	_{mark}
W. ^m Slade	James Jackson
James Tibbitt	^{his} John + Barnet House
William Patteson	_{mark}
John Barton Sen. ^r	Robert Brown
Nathaniel Wilkes	^{his} Robert X Cole
Ezekiel Slade	_{mark}
John Ross	William Payne
Ignatius Davis	John Anderson
John Cambell Jun. ^r	^{his} William R Richison
Hennerly Scarff	_{mark}
^{his} Zacheriah Z S Strobell	James Anderson
_{mark}	John Philpot
John Hanby	Robert Humphrey
W. ^m Goddard	William Andrews
James Allen	John Phahey
^{his} John J Speck	Law ^r Conner
_{mark}	James Moore
^{his} John X Smith	David Brown
_{mark}	^{his} George T Seaton
John X Ludwick	_{mark}
Frederick Lüderitz	John Herrington
Bernhard Alberts	John Daniel West
Stephen Sipson	John Williams
Simon Rieger	Johns Hopkins
John Woodman	

Gittings Wilson
 Willoughby Warren
 Heney Jackson
 ^{his}
 William + White
 ^{mark}
 David Scott
 Isaac Hall
 John Caldwell

Arthur Owens
 Jno Howlands
 Edw.^d Power
 Rob.^t Long
 ^{his}
 David + Haize
 ^{mark}
 Thomas Tucke
 Samuel Lewis
 Jon Owens

62

[On this petition is endorsed:]

Petition Handed to the several subscribers p William Smith, John
 Merryman Junior, Elijah Merryman Nicholas Rogers &
 Robert Smith

No. 14

Ja. Sterrett
 W Smith
 Alexand.^r Lawson
 Alex.^r McMechan
 Felix O'Neill
 John Thompson
 Jn^o Addison Smith
 Jn^o Merryman Jun
 George Reynolds
 James Mayes
 James Cox
 Cha.^s Croxall
 Benjamin Griffith
 Gerrard Hopkins
 J. Worthington
 John Wilkinson
 William Young
 Jon.^a Plowman
 Simon Ashon
 John McLure
 Mones Dorling
 Welham Cloriss
 Alexander Vaille
 David McClellan
 George Ross
 Benj.^a Dungan J.^r
 John Hadden

Her.^s Courtenay
 Samuel Roberts
 Samuel Jaquéry
 Sebastian Madery
 Joseph Stokes
 Tho.^s Ewing
 Sam.¹ Brown
 William Sadler
 Hugh Burges
 R Moale
 Charles Wiesenthal
 James Boyd
 Schon Schaun
 John Lees
 W Barney
 Jenkins Davis
 Alex.^r McLure
 Samuel thompson
 John Deaver
 Nich Jones
 Benjamin Rogers
 Hen Brown
 Sam.¹ Purviance Junr
 George Patten
 William Goodwin
 Daniel Bowly
 Thomas Tees

Adam Shore [?]	George Williams
John Livingston	Carl Schiel
Samuel Thomas	Vitus Hartweg
Ro. ^t Skinner	Conrath Conrath
Alex. ^r Leith	William Hoffman
Henry Hofsteter	Jacob Brown
William Moore	Wm. Pontany
John Dodge	James Smith
Thomas Cox Orrison	Schan Schleich
W. ^m Bell	Patrick Lynch
Philip Chris Schuh	Adam Brant
Joseph Duer	Caspar Grasmick
Tho. ^s Ward	William Hackle
W. ^m Payne	Mathies Messersmith
James Fishwick	William Askay
Will. ^m Lux	James Kelley Juiner
Thomas Harrison	George Aitkenhead
James Caldwell	John Rick
Aquila Duvall	Milkal Shriack
Edward How	Johnes Faul
Joseph Miller	William Miller
David Peasley	Wm. Spencer
Ja. ^s Hamilton	Nathan Griffith
John Ward	David Fulton
David Rusk	George Monilaus
Henry Veaser	William Adams
Petro Drumbo	Basil Francis
Henrich Schlegell	Hugh ONeill
John M ^c Clellan	Rob. ^t Manley
David Lin	Joseph Burgess
William Hopem	John Moore
John Depresfontaine	Richard Tayler
Benjamin Jervis	Caleb Owings
William Davis	John ^{his} I P Price ^r Senr
James Gaddes	^{mark}
John Evans	Will. ^m Richardson of
David Shields	Bush River
Aaron Mattison	John Robert Holliday
William Poole	Heighe Sollers
Abraham Foster	William, Murphey
Abraham Huelings	Abr. ^m Inloes
William Carter	Joseph Miller
George Lindenberger	Robeth Smith
Christian Diel	Mabry Helm
George Fletcher	Richard Rogers
Christian Waskey	David Peterkin

William Thomas	145	Hugh Carson	
Jn ^o Cannon		Daneil Grogam [?]	
Robert Lourey		Francis Brookes	
John Loury		John Chew of ——— ?	
Josiah Lewie		William Scarff	
Robert Purviance		William Cole	
John Purviance		John Reily	
George Baxter		Moses Bashford	
Joseph Bounds		Ja. ^s Boyd	
William King		William Reily	
Nath. ¹ Smith		George Mackey	
Edward Allen		George Sheke	
Edward Woods		John Gordon Thompson	
John Armstrong		William Richardson	
Wheler Denington		Charles Evans	
thomas Rion		Andreas Röhrung	
George Aston		Edward Harris	
O N. ^c Barney		David Humphrey	
Jn ^o Stevenson		Moses Faris	
Jn ^o Sollers		William Dunlop	185
Ja ^s Jackson			

[On this petition is endorsed:]

Signed in the Market House & handed by John Leets

No. 15

John Keys	John Donnelly
Jas R Roberts	James Doran
James I Ingram	Thos. T Barton
Lonn Connolly	John I Ward
Abraham Britten	James Baker
Thos + Bedell	Rezin Moore
James Gittings	Thos. Chenowith
John Wilson	George Cridginton
William Eede [?]	James Francis Moore
Richard Perkins	Fran. Downing
John H Hiltin	Bloyce Wright
George Rennolds	Clement Lewis
W ^m Bosley	James Stewart
William W Standiford	George M ^c Candless
Sen. ^r	Hew I X Grant
Henry H M ^c Caslin	John + James
Cornelious Lynch	Ignatius Jenkins

John Standiford	James Hunter
Richardson R Roberts	Peter Hunter
William W Gad	Jonathan Hunter
Jacob Jones	Thomas Ask
Edward R Rose	William Sinklair Junir
George S Smith	John Anderson
Henry H Scarf	William W Allin
Thomas Nichols	Dannal Wickes
Henry H Proser	Solomon Wright
Thos. T Boucher	John I Inlows
John Green	Abraham Standiford
samuel M ^c Near	William Standiford Juner
Thos Bucingham	Jn. ^o Laremore
John M ^c Gonigal	Tho. ^s Chisholm
James Campbell	Hugh Eagon
Philip Chamberlain	Patrick P Rion
Sammuel Chamberlain	Rich. ^d Green
Wilmer + Maile	Ja. ^s Dimmitt
William Gulberert [?]	Aquilla Dimmitt
Patt Durham	John X Hupper
William X Fell	Michael Little
William Ditto	Richard M R Ward
Cornelius M ^c Donnald	Thomas Chamberlain
Abraham ^{his} A D Ditto	Otho O F French
John Tomsin	Henry H H Henden
George Hunter Sen. ^r	George Councilman
George Hunter Jn. ^r	Mike Gerhard
	John Chamberlain

(88)

[On this petition is endorsed:]

This petition handed to the several subscribers p James Gittings

No 16

George Ogg	Ely Dorsey
Sam. ¹ Merryman Jun. ^r	Cristopher Suell
William Ogg	Barney Hooker
Edw. ^d Dorsey of BC	Rezin Chapman
Nicholes Dorsey Jun. ^r	Indimum baker
John Elder	James Hamelton
Peter Leves	Solomon Longsworth
Robert Teves	John Cook
Philip Teaver	John Brunts
Edw. ^d Talbot	John Chressman

Richard Hooker Senr	Edward todd
Vachel Dorsey	Peter Longsworth
Jacob Hook	Henry Dorsey
Henry Woolry	Samuel Brown
Richard Jacks	Samll Shipley
Thomas Phillips	William mackcullen
John Baker	Benj Buckingham Se. ^r
John Whips	Benjamin Buckingham Ju. ^r
John Grover	John Buckingham Ju. ^r
Chris. ⁿ Owings	John Buckinham Sener
Anthony Lindsay	Richard Owings
Joseph Beasman	Charles Gorslin
James Dorsey	Jacob Hooker
John Rite	L Mercier Se
William Walton	Frances Mercier
John Smith	Woldon Mercier
Will. ^m Arnold	Moses Seirs
Absolam Shipley	James Barnes
John Gladman	Charles Dorsey
William Buckinham	John Whips Ju. ^r
John delany	James Conner
John Nickleson	Joshua Ponten
Jacob Gilburd	Thomas Jacks
Azariah MacClain	Char ^s Pickitt
Adam Shipley son of	Ed. ^w Dorsey
Peter	son of John
John Baptist Snowden	Jacob Brown
John Mash Jun. ^r	Greenbury Wilson
Greenbury Willson	William Madux
Robert Ma ^c Collister	Aquila Hooker
Nicholas Dorsey Sen. ^r	Richard Hooker
George Miller	son of Richard
James Brown	Amon Shipley
William Kindall	William Hauk
Richard Shipley	Jonahan Sellman
A. Geoghegan	^{his} Wornell W Gornnell
Lancelott Dorsey	^{mark}
Charles Dorsey son Nat. ⁿ	Natha. Neal Sener
Charles franklin	John scoles Seneur

[On this petition is endorsed:]

This petition Handed to the several subscribers p George Ogg

No. 17

Jacob Myers
 Fra.^s Phillips
 William Wilkinson
 Cornelius Howard
 Charles Duke
 Josias Bowen
 Edm.^d Talbott
 John Gorsuch
 Will.^m Lynch
 Far. Battee
 Richard **R S** Stansbury
 James Lennex
 Christopher Rolles
 William Rolles
 Thomas Miller
 Lewis ^{his}**O** _{mark} Wise
 Benjamin Baxter
 Robert Matthews
 Edward ^{his}**E** _{mark} Wigly

James Wood
 James ^{his}**+** _{mark} Briant
 harry Carback
 Henry ^{his}**+** _{mark} Carback
 Jacob ^{his}**I** _{mark} Sindle
 John ^{his}**I M** _{mark} Murray Cole.^r
 Thos. **I** Cotterall
 Moses Green
 John Cowper
 Moses Mackubin
 Peter ^{his}**X** _{mark} Arnold
 William Joyce
 William Smith

(32)

[On this petition is endorsed:]

This Petition Handed to the several subscribers p Thomas Jones

No. 18

Richard Acton
 Zach.^r Mackubin
 William ^{his}**I** _{mark} Jesop
 Benjamin ^{his}**B** _{mark} Johnson
 George ^{his}**J** _{mark} Charge
 Edward Teal
 John Oram
 John Shekell
 Thomas Griffin
 Obed ^{his}**X** _{mark} Baker

Abraham ^{his}**+** _{mark} handonson
 William Willims
 Edward ^{his}**E** _{mark} Collet
 Thomas Orom
 Henry Wilson Winters
 Samuel Owings of Ths
 Robert ^{his}**X** _{mark} Freight
 Jonas ^{his}**J** _{mark} Jones
 John Chapman

(19)

Nathan Lewis
Benjamin Price

Mordecai Price
Elisha Hall

(23)

[On this petition is endorsed:]

This Petition handed to the several subscribers ꝑ Abraham Walker &
Benj. Rogers

No. 19

Christo^r Duke
Frederick Gatch
Gideon perveil
thomas graves
William Ravin
John graves
John Matax
Robert Graves
John Lennex
his
Rolan X Thornbury
mark
Thomas Eaglestone
Benjamin Eaglestone
his
Abraham X Durham
mark
Tho. Green
Dixson Brown
his
Benjamin X Curtis
mark
Nathan Ireland
Richard Ireind Juner
his
William X Aplebei
mark
Wm. Graves
John McConikee
Jaceriah Bays his B mark
Jn.^o Sheals his X mark
Daniel Shaw his D mark

Phillip Sheals
Jn.^o Rogers
James Busk
John Perigo
John Stansbury
John Grimbs
Lemewell Hardisten
James Taylor
John Taylor
John Ashman
Charles Stansbury
Fransis Thornbury
John Marcer Juner
Jorge Haramond Sen.^r
Thomas Davis
John Harryman
Cha.^s Harryman
his
Vallentine V Carback
mark
George Randall
Thomas Harryman
Sam.^l Clarke
Beniaman Buck
John Grigory
Edmund Stanbury
John Murrey (49)
Joseph Skinner (50)
Josias Dyer (51)

[On this petition is endorsed:]

This petition Handed to the several subscribers ꝑ Christopher Dukes

No. 20

W. Govane
 Samuel Gott
 Richard Gott
 James Swan
 Anthony Gott
 Joshua Stevenson
 John Adam Beard
 Nicholas Haile
 Petr. Aston

^{his}
 William ^W Macquan
^{mark}
^{his}
 Daniel ^D Fawlway
^{mark}
 Stephen Deaver
 Larkin Hammond
^{his}
 John ⁺ Deaver planter
^{mark}
 Joseph Tayler

15

[On this petition is endorsed:]

This Petition Handed to the several Subscribers p William Govane &
 Ezekiel Towson

No. 21

Nathaniel Martin
 Tho.^s Dew
 W. Galloway
 Cha.^s Babington
 Luke Raven
 Joseph Crook
 William Davis
 James League
 Moses League
 John Waller
 Nath: Nicholson
 Thos. Sligh
 Sam.^l Dorsey Jun.
 Thomas Bond son Jn^o
 Joseph Ensor
^{his}
 John ^I Cotterill
^{mark}
 John Hendrickson
 Will.^m Baines
 James Nicholson
 Moses Galloway
^{his}
 Daniel Scott ^D Watkins
^{mark}
 Benjamin Mead

^{his}
 John ^I Rutledge
^{mark}
^{his}
 William ^W Williams
^{mark}
^{his}
 Edmund ⁺ Parks Jun.^r
^{mark}
^{his}
 Samuel ^S Smith son of
^{mark} Wm.
 John Jarman
 John Denton
^{his}
 William ⁺ Jarman
^{mark}
 Joseph Beaun
^{his}
 John ^I Parks S.^r
^{mark}
^{his}
 Aquila ^A Parks
^{mark}
 Elisha parks
 John Parks son of John
^{his}
 Edmond ^E Parks Sein.^r
^{mark}
^{his}
 William ^W Wright
^{mark}

Laban Parks
Tho.^s Brownlee

^{his}
John **J** Frame [?]
mark

^{his}
Benjamin **B** Beavens
mark

^{his}
Robert **O** Jarman
mark

^{his}
Greenbury **M** Mildnes[s]
mark

^{his}
Nathan **N** Wright
mark

^{his}
Halden **H** Waters
mark

^{his}
Richard **+** Jones
mark

Richard Croxall

^{his}
John **J** Jones
mark

Hugh Deen
John Cug [?]
John Bevan

^{his}
Patrick **P** Lynch
mark

^{his}
Christian **X** Davis
mark

^{his}
George **G** Wales
mark

^{his}
Abraham **X** pines
mark

Abrah.^m Asher

^{his}
Thomas **X** Edwards
mark

^{his}
Jonas **O** League
mark

^{his}
Thomas **+** Baulght [?]
mark

^{his}
Isaac **+** Wright son of
mark Wm

Ojiles Stevens

^{his}
William **+** Steavens
mark

Samuel Stansbury Jun.^r

John Stone Gorffiss

Moses greere Jun

William Quine Jun

^{his}
Isaac **I** Green
mark

^{his}
John **I** Jones Jun.^r
mark

Mose Greer

^{his}
Joshua **X** Barton
mark

^{his}
Weyemoth **X** Shaw
mark

^{his}
James **X** Tudder
mark

^{his}
Edward **X** Willson
mark

^{his}
William **X** Paslett [?]
mark

^{his}
Joshua **+** Tuder
mark

^{his}
James **I R** Robinson
mark

^{his}
Thomas **T** Fitch
mark

^{his}
William **X** Miser [?]
mark

R. Campbell Thompson

Edw.^d Preston

Will.^m Mont^y Biggs

81

[On this petition is endorsed:]

This petition handed to the several subscribers ꝑ Moses Galloway

No. 22

Thomas Howel	John Davis
David James	John Parsons
James finley	Barnabas M. ^c namee
G Robinson	Joshua Amos
Gideon Cleave	John Lang [?]
James Hope	James Perine
John Hope	Jn ^o Morgan
William Beatty	Evan Evans
Constantine oDonnal	Isaac Parsons
Mordecai Amos	hugh ortton
Daniel McComus	Samuel Ashmead
Thomas Cuningham	Deer Creek

(23)

[On this petition is endorsed:]

This Petition Handed to the several subscribers ꝑ Samuel Ashmead

No. 23

John ^{his} I I James	William James sener
_{mark}	Isaac Waltars
Thomas James	Tho. ^s Sotherland

(5)

[Not endorsed]

No. 24

Richard Chenoweth	Ew. ^d Parrish
Rich. ^d Chenoweth Jun ^r	Vincent Bosley
William Parrish	

(5)

[On this petition is the notation:]

This petition handed to the several subscribers ꝑ Sam.¹ Price

No. 25

Solomon Hillen	Robert Chapman
Richard Parrish	Andrew Ebard
John Lewis son of Henry	Robert Weer
John Ocacon	Hugh Keen

Francis Lockard
 John frizel
 William Weer Juner
 Robart English
 Gilbert Israel
 Edward Parrish

J Rowles
 John Brown son of Abell
 Joshua Owings Jun^r
 Joseph Davisen
 David Bradford

(19)

[Not endorsed]

No 26

R. Richards
 Joseph Cole
 ^{his}
 Richard **R** Cross
 mark
 ^{his}
 John **+** Wheeler
 mark
 ^{his}
 George **O** Wheeler
 mark
 ^{his}
 William **+** Keith
 mark
 ^{his}
 William **X** Boreing
 mark
 John Cumings
 John Turner
 Richard Graham
 James Graham
 Christ.^r Vaughon
 ^{his}
 Thomas **T** Story
 mark
 ^{his}
 John **O** Scales
 mark
 ^{his}
 John **X** Cox
 mark
 Absalom Barney
 William Morrow
 Georg Everhart
 Frederick Decker
 ^{his}
 Henry **+** Wade
 mark
 Richard Bond

^{his}
 Reubin **R** Boring
 mark
 Francis Dawes
 John Myers
 ^{his}
 Daniel **D** Long
 mark
 James Hendriks
 ^{his}
 Samuel **S D** Tanner
 mark
 ^{his}
 John **J** Meharge
 mark
 Thomas Allison
 ^{his}
 George **X** Groomrine
 mark
 John Hall son Joshua
 Joseph Scott
 ^{his}
 Thomas **T** Quarterman
 mark
 James kelley
 John Shrimplins
 ^{his}
 John **I** Ozbin
 mark
 James Murray
 ^{his}
 Henry **H** Peregoy
 mark
 Christian Shilling
 ^{his}
 John **J** Murray
 mark
 ^{his}
 John **X** Plowman
 mark

George ^{his} G M Merryman
mark

William ^{his} X Murray
mark

^{his} John I Brown
mark

^{his} James X Boreing
mark

(45)

[On this petition is the notation:]

This petition Handed to the several subscribers ꝑ
Capt. Richard Richards

No. 27

John Conaway

Charles Conaway

(2)

[On this petition is the notation:]

Handed by William Lux

No. 28

Henry D[orsey] Junr.

[This petition is mutilated; there seem to be five names torn away]

[THE NEXT SIX SUCCEEDING PETITIONS FOR REMOVAL 29-34, AND
[38] ARE ON THE ENGLISH-GERMAN PRINTED
BROADSIDE FORMS]

No 29

To His Excellency Horatio Sharpe, Esquire, Governor and Commander in Chief in and over the Province of Maryland, and, To the Honorable the Upper and Lower Houses of Assembly of the said Province:

The Petition of the Subscribers, Inhabitants of Baltimore County, humbly sheweth,

That the present Court-House for Baltimore County, situate in Joppa, is considerably too small for transacting therein the Business of the County with Convenience, being the smallest in the Province: That the same is greatly out of Repair, and the Offices thereof so confined, as not to admit of sufficient Regularity in ranging the Papers; and the whole Building is flight, and insecure for the Pur-

pose of Keeping the Public Records, whereon the Estates of many of his Majesty's Subjects of this County, and elsewhere, depend; which are thereby, and from its lonesome Situation, exposed to the open Attempts of malicious ill-designing or wanton People being executed without Alarm.

That the said Town of Joppa is on a low Peninsula, the Isthmus into which is so miry, as to be often nearly impassable, especially after high Tides, or heavy Rains, which overflowing the Isthmus, reduce the Situation of the Town to an Island: From whence and from the Want of navigable Water up to the said Town, and for many Miles below it, other than for Shallops and smaller Vessels; and also from the Length the said Town has been laid out, and its little Improvement, or Increase of Inhabitants, Your Petitioners cannot flatter themselves with the most distant Hopes of any favourable Alteration therein.

That the County-Goal, from its original ill Construction, has been a continual Expence to the County, and although large Quantities of the Public Tobacco have been frequently levied and expended thereon, hath always proved defective and insufficient to restrain the Attempts of Criminals and other Prisoners; great Numbers of whom have escaped to the Loss and Vexation of the Sheriffs and Suitors, and not a little to the Discredit of the County; and there being no Yard or Windows to the said Prison, other than Windows in the Front, and no Draft or Air through the same, such Prisoners as do not escape, suffer additional Misery from the Loss of their Health.

These Considerations, may it please Your Excellency and Honors, your Petitioners humbly hope, may justify their present Application for a new Court-House and Prison. But when it is added, That from the Scarcity of Houses and necessary Accommodation in the said Town of Joppa, the People, who attend the Courts, are for the most Part obliged to ride by Night to their Houses or Country Neighbours for Lodging, in all Weathers, whereby they are often exposed to the Danger of Catching violent Colds, Pleurisies, and other Disorders; early Adjournments and late Meetings of the Courts are unavoidable, and the Public Business Greatly retarded: And when it is also considered, that the Town of Baltimore is free from the Inconveniences to which Joppa is subject; that there are therein Houses sufficient to accommodate, with Ease and in Plenty, much greater Numbers of People than are used to attend our Courts; and from the Number of Inhabitants residing therein, a Court-House and prison would be better secured against the Attempts aforesaid: That the said Town is situate on a fine River, navigable for large Ships, and within a few Years past has greatly increased in Trade, and is daily increasing therein and in Buildings, Inhabitants, Merchants, Mechanics and others; insomuch that the

greatest Part of the Trade and mercantile Business of the Planters, Farmers, and other Country People of the County is transacted there, as a regular and certain Market, where our Provisions, and every Thing we make, may at all Times find a ready Price, and to which the major Part of the People of the County already resort and trade, and others are daily more and more resorting from all Parts of our County; not only to sell their Plantation-Produce, but for the doing of most Sorts of Business; so that whoever might be obliged to attend the Courts, would at the same Time be in the Way of negotiating their common Concerns; their Attendance on the Public Service would be rendered easy and light, and regularly and chearfully given, and none of the said Inconveniences attending the present County-Duty would be felt: And that although the Town of Baltimore should be found not so central as Joppa, we humbly apprehend it cannot be an essential Objection of Inconveniency, especially as we have the Example and Experience of our neighbouring Colonies and of most of the Countries in the World to assure us of how little Weight such an Objection has always been held, when opposed to even much less Advantages than are above enumerated.

When these Considerations, may it please Your Excellency and Honors, are weighed, we humbly hope, and we also pray Your Excellency and Honors will be pleasead to pass a Law for Disposing of the Ground and Materials of the present Court-House and Prison of this County, and for the Purchasing Ground, and Building a Court-House and Prison, for the said County, in the Town of Baltimore aforesaid, for the Courts for the said County to be held in the said Court-House, and that the same be made staunch and convenient, and well constructed against the Danger of Fire, as to Your Excellency and Honors shall seem meet.

For which Your Petitioners will ever pray, &c.

An Seine Excellenz Horatio Scharpe, Esquire, Gubernör und Oberst-Befehlshaber in und über die Provinz Maryland, und An die Großachtbaren Obere und Untere Häuser der Assembly der besagten Provinz:

Die Bittschrift der Unterschriebenen, Einwohner von Baltimore County, Welche demüthig anzeigt,

Daß das jetzige Courthaus für Baltimore County, welches in Joppa liegt, viel zu klein ist die Geschäfte der County mit Bequemlichkeit darin zu verrichten, indem es das kleinste in der ganzen Provinz ist: Daß selbiges sehr baufällig ist, und die Zimmer dermassen eingeschränkt sind, daß die Schriften nicht in genugsamer Ordnung darin können gestellet werden; und das ganze Gebäu ist schlecht und unsicher um Publike Urkunden darin zu verwahren, (von welchen die liegenden Güter Seiner Majestät Unterthanen in dieser County, und anderswo, abhängen) wodurch, und

von der einsamen Lage besagten Courthauses, die Urkunden öffentlich bloß gestellt sind, so daß boshaftige übelgesinnete oder muthwillige Leute ohne Lärm ihre Versuche dagegen ausüben können.

Daß besagte Stadt Zoppa auf einer niedrigen Halbinsel liegt, von welcher die Landenge, die in selbige gehet, so sumpsicht ist, daß man oftmals fast nicht durchkommen kan, besonders nach hohen Meeresfluthen oder schweren Regen, welche, wenn die Landenge dadurch unter Wasser gesetzt wird, die Lage der Stadt zu einer Insel machen. Daher, und wegen Mangel an schiffbarem Wasser nach selbiger Stadt hinauf, und viel Meilen unter derselbigen, für andere als Schalupen und kleinere Fahrzeuge, wie auch wegen der Länge der Zeit seithdem besagte Stadt ausgelegt ist, und derselbigen geringen Anbau oder Zunahme an Einwohnern, Eure Supplicanten sich nicht mit der entferntesten Hoffnung einer günstigen Veränderung darin schmeicheln können.

Daß das County-Gefängniß, wegen dessen übeln Bau-Art, der County beständige Kosten verursacht hat, und ob schon grosse Quantitäten Publicken Tabacks oftmals dazu gehoben, und darauf verwandt worden, so hat man doch jederzeit gefunden, daß solches mangelhaft und unhinlänglich gewesen ist, die Versuche der Verbrecher und anderer Personen in Zaum zu halten, von welchen grosse Anzahlen entwischt sind, zum Verlust und Verdruß derer Scheriffs, und derer wider solche Entsthene procedirende Personen, und zu nicht geringer Unehre der County: Und weil kein Hof bey besagtem Gefängniß ist, auch keine andere Fenster darin sind als nur vorn, und die Luft nicht dadurch ziehen kan, so stehen solche Gefangenen, die nicht entweichen, mehr Elend aus als gewöhnlich, durch den Verlust ihrer Gesundheit.

Diese Betrachtungen (Eure Excellenz und Großachtbare Herren geruhen zu vernehmen) können, wie Eure Supplicanten demüthig hoffen, ihr jetziges Anhalten um ein neues Courthaus und Gefängniß rechtfertigen. Allein, wenn diesem noch beygefügt wird, daß, wegen dem Mangel an Häusern und nöthiger Bewirthung in besagter Stadt Zoppa, die Leute, welche denen Courten beywohnen, meistens genöthiget sind um Herberge bey der Nacht nach ihren Häusern oder Nachbarn auf dem Lande zu reiten, in allerley Wetter, wodurch sie oft der Gefahr von Verkältungen, Seitenstechen, und andern Krankheiten, bloß gestellt werden; frühzeitiges Aufstehen und spätes Zusammenkommen der Courten sind unvermeidlich, und die Publicken Geschäfte werden gar sehr aufgehalten: Und wenn man gleichfalls betrachtet, daß die Stadt Baltimore frey ist von den Unbequemlichkeiten denen Zoppa unterworfen ist; daß in jener Häuser genug sind, mit Gemächlichkeit und Ueberfluß viel grössere Anzahlen Leute zu bewirthen, als gewöhnlich auf unsern Courten pflegen zugegen zu seyn; und daß, wegen der Anzahl Einwohner in gemeldeter Stadt Baltimore, ein Courthaus und Gefängniß in selbiger besser würde gesichert seyn gegen obgemeldete Versuche: Daß besagte Stadt an einem schönen Flusse liegt, auf welchem grosse Schiffe fahren können, und daß selbige innerhalb wenig Jahren gar sehr zugenom-

men hat in Gewerbe, und nimmt täglich darin zu, sowol als in Gebäuden, Einwohnern, Kaufleuten, Handwertern, und andern; dergestalt, daß der grössste Theil des Gewerbes und zur Handelschaft gehörige Geschäfte derer Pflanze, Bauern, und anderer Landleute der County, daselbst verrichtet werden, als auf einem ordentlichen und gewissen Markt, wo wir unsere Lebensmittel, und alles was wir machen, zu allen Zeiten hurtig absetzen können, und wohin der grössste Theil der Leute aus der County bereits hinziehen und handeln, auch andere sich täglich mehr und mehr von allen Gegenden unserer County, daselbst versammeln, nicht nur die Ergiebigkeiten ihrer Plantaschen zu verkaufen, sondern auch die meisten Arten ihrer Geschäfte zu verrichten, so daß, wenn jemand möchte nöthig haben auf den Courten zugegen zu seyn, er auch zu gleicher Zeit bey der Hand seyn würde seine gemeine Angelegenheiten zu betreiben; das Abwarten des Publicen Diensts würde den Leuten gemächlich und leicht gemacht werden, und sie würden dasselbe ordentlich und mit Freuden thun, und keine von den obbesagten Ungemächlichkeiten, welche die jetzige Pflicht, die man der County schuldig ist, begleiten, würden gefühlet werden: Und, obgleich die Stadt Baltimore nicht sowol in der Mitte der County solte befunden werden, als Joppa, so kan solches doch, nach unsern demüthigen Begriff, kein wesentlicher Einwurf von Ungemächlichkeit seyn, besonders, da wir das Beispiel und die Erfahrung unserer benachbarten Colonien haben, und der meisten Länder in der Welt, um uns zu versichern von welchem wenigen Gewicht man solchen Einwurf jederzeit gehalten hat, wenn man denselben selbst viel geringern Vortheilen als denen oben erzählten, entgegen gehalten hat.

Wenn diese Betrachtungen (Eure Excellenz und Großachtbar Herren geruhen zu vernehmen) erwogen werden, so hoffen wir demüthig, und bitten zugleich, Eure Excellenz und die Großachtbare Herren wollen geruhen ein Gesetz zu machen, um den Grund und die Materialien des jetzigen Courthauses und Gefängnisses dieser County zu verkaufen, und zu Erkaufung des Grundes, und Erbauung eines Courthauses und Gefängnisses für besagte County, in vorgemeldeter Stadt Baltimore, zu Haltung der Courten (oder Gerichten) für gemeldete County, in besagtem Courthause, und daß selbiges möge rechtschaffen dichte und gemächlich gemacht, und wohlgebauet werden, gegen die Gefahr des Feuers, wie Eure Excellenz und die Großachtbaren Herren es gut finden werden.

Wofür Eure Supplicanten jederzeit beten werden, u.

[SIGNERS OF PETITIONS 29-37 ON THE ENGLISH-GERMAN
FORMS FOLLOW]

No. 29

Jacob Ybach [*later*
Ebaugh]
Isaac Meyer

Adam Mieller
Peder Franckf
Heurich Heyt [?]

Johannes Güttinger
George Meyers
Dietrich Reinharth
Hannes Mehl
Jacob Draisch

Andres ^{his}
_{mark} X Welti

William Schrötter
Peder Faubel

^{his}
_{mark} Jacob X Zabf

Johannes Weber
Philip Diehl
Henrich Utz
Phillip Böhm
Stoffel Ge - - ier
Ludwig ritt - -

Frantz Schuster
Conrad ———

Christoffel Sch - - -
Pfilip Lorentz Franck
Johan Hass
Frantz Gross [?]
Jacob Stein
Georg Philipp Mänchen

^{his}
_{mark} Michael X Born

Anthon Noll
Friederich Schneider

^{his}
_{mark} Hannes X Dilli

^{his}
_{mark} Stoffel X Mohr [?]

Jacob Fowble
Martin Schneider
Jakob Rind [or Kind]
Carle Schind [or Schmid]
Wendel [?] C - - - -
Friedrich ———

^{his}
_{mark} Joseph O Mathias

^{his}
_{mark} Jacob + Cotner

^{his}
_{mark} Christian X Daker

^{his}
_{mark} John X Henrix

Michel Fischer
Johannes Schauer
Johannes Rodenberger [?]

^{his}
_{mark} Christopher + Fryfogle

Willm Ma - t [?]

^{his}
_{mark} John I Dilley, Ju.

^{his}
_{mark} George F Fisher

Heinrich zur Buchen

^{his}
_{mark} Henry H Crottingar

^{his}
_{mark} George X Walter

^{his}
_{mark} Henry X Minkey

^{his}
_{mark} John X Burns

^{his}
_{mark} John X Minkey

Stoffel Grü

^{his}
_{mark} George X Wollery

Cornrath Dorrmbach [?]

^{his}
_{mark} John X Hawn

^{his}
_{mark} Ludwick X Shuster

Gorg Koberstein [?]
Frantz Adelsperger
Christian Adrion
Peter Stump
Johannes Kirbel

No 31

John Stoler
 Conrad Schmidt
 Jacob Rühbortz
 Jörg [?]^{ble}
 — ? — ?
 Johannes Lantz [?]
 James Kidlay [?]
 Samuel Messersmith
 Friedrich — ?
 — ? — ?
 Friedrich — ?
 Carlsen [?] Meyer
 Morice Wersler
 Martin Tschudy
 ^{his}
 John **X** Lane
 ^{mark}
 Philip Littig
 John Hawn
 Andres Steiger
 Johannes Bader
 Migel Born
 Lorentz Keller
 Mich Eltrorbach
 John Ross
 John Martin Unger
 Johan Philliph Birkefer
 — Blei-schmidt [?]
 Joseph Müller
 Thomas Lowe [?]
 Elias Bayer
 Thomas Askren
 Johann Conrad Small
 Peter Striehbeck [?]
 ^{his}
 George **X** Strobake [?]
 ^{mark}
 W.^m — ?
 Gisper Kiel [?]
 Charles Hissey
 William Blohman
 Mattheis Zimmerman
 Ferig [?]
 Wm. Burg Faw

Martin Segeter [?]
 Christof Reiss [?]
 Hugh Watts
 ^{his}
 Philliph **+** Chraise
 ^{mark}
 Charl Henrch Muller
 Tobias Renner
 Georg Jaisser
 ^{his}
 Johannes **X** Barrall
 ^{mark}
 Georg Schäck
 John Brown
 Cha^s Babington
 Johannes Breitenbach
 Nichlais Müller
 Constantine Bull
 W^m Hunt
 Joshua Sharpless
 Robert Wade
 Milers Love
 Stephen Clement
 Gabriel Holland
 Peter Litzinger [?]
 John Rouse
 Rudolf Hug
 Martin Stoller
 ^{his}
 David **P** Parks
 ^{mark}
 John Sank
 Daniel Spengel
 ^{his}
 James **X** Elkinson
 ^{mark} ^p John Stoler
 Joseph Hug
 Petter Kiener
 Johannes Schranck
 Henrich Blüherodt
 Weinbert Tschudi
 Friedrich Meyer der junge
 Lancelot Bennett
 John Crosby

(76)

[On this petition is endorsed:]

Handed by John Stoler.

No 32

Richard Davis	Arthur Dunn
Joseph Mc'Donell	Wm. Gosnell
Seth Hyatt	M Hammond
Wm. ———	Nicklass Fleuer [?]
John Logsdon Juner	Jonathan Griffith
William Logsdon	James Chapman
Jakob Cole [?]	Philip Ulrick
Sa Chenoweth	Henry Griffith Dorsey
Görg Weber	Senr
Jon Chenoweth Sr.	John Israel
Jochim Jahn	Thomas Gist
William Parrish	John Helms
Daniel Asban	Willim Pasmire
Richard Richard	Willim Pasmire Juner
Adam Starr	Thomas Pasmire
Natha. ¹ Brothers	John Pasmin
William Hutson	——— Smith
William Gill	Jakob Gis [or Git]
Stephen Gill	Peder Nöss [?]
Sebastian Frosch	Jacob Allgeir
Richard Joens [?]	Petter Krämmmer
Dunking Ogg	Joseph Schall
Richard Hooker	Peter Snap
Tho. ^s Bone [or Bond]	George Tanner
Danniel Lain	Johan Belzer Jün
Edward Stocksdales	Jacob Shrader
Thomas Hutson	Philip Shrader
Joh: Georg Herman	Peder Schl[?] Jnr
Andreas Herman	Adam Gantz
John Clark	Daniel Zapff
John Nicholas Wuillanie [?]	Anthony Naryes
Juner	^{his} Nicol X Grün
Peder Uchlir [?]	^{mark}
Hannes [?] Werbel [?]	Johannes Rester
Fridrick Chrissman	fillib Rester
Leakin Dorsey	Ja John Rester
Michael Huff	Edward Parrish
Jere: Johnson	Henrich Hennistoffel [?]
^{his} Henry H Worril	Johannes Summer [?]
^{mark}	Michal Arnol
Lotowick Weaver	Jonathan West
Robert Cross	Jacob Dean
John Cross	John Carten
William Cross	Ludewig Bän
John Haile	Thomas Tucker

Charles Gosnell	Richard Clark	
Arthur Faris	Adam Shippley	
Carl [?] Schibirtt	Jas. White	
Joh: Caspar Kirchner	J. G. Willamer	
V. D. M.	Rudolf Braun	[96]
Henry Cotterill		

[On this petition is endorsed:]

Handed by John Riston

No 33

Richard M ^c Callister	Carl Gelwicks	
Philip Coale	Jacob Reisser	
Ja. ^s Calhoun	Fridrich Eichilberger	
Frantz Heim	^{his} Christian H Hoover	
Charles Wildbonn	^{mark}	
Rob. ^t Irwin	Abraham Holl	
Henrych Beyer	Christian Mehlheim	
Frantz Noll	Johannes Heuster [?]	
Michael Danner	Jacob Bary [?]	
Johannes Spittler	Georg Petter Baum	
Philip Mayer	^{his} Jacob I M O Moaler	
Johann Georg Gelwicks	^{mark}	
Lewis Adam Antony	^{his} Marks X Imlar	
Philip Franer	^{mark}	
Jacob Miller	Edw. ^d Digges	
John Jotter	^{his} Henry X Bowman	
William Hendrix	^{mark}	
Hinman Woften	Georg Weiss	
Caspar Krapf	John Logsdon	
Henry Sturgeon	Nickles Kleh	
Jacob Belss	^{his} Nicholas N Fisher	
George Ruhl	^{mark}	
Simon Swaub [?]	Adam Forny	
Georg Koch	Friederich Sauer	
Georg Winebrenner	Conrad Schwob	
Christian Kraf [Graf ?]	Christoffel Stiehl	(50)
Hannes Seri [?]		
Johannes - - Schatz		
Samuel Haller [?]		

[On this petition is endorsed:]

Handed by Richd. M^cCallister

No. 34

Benedict Swope	Philip Salter
Daniel Bower	William Tio
Samuel Owings Junr.	Phillip Borter
Herman Fischer	Charles Clark
Joseph Harney	John M ^c Cinsey
Diter Berger	Carret Wilson [<i>or Pilson</i>]
Philip Weber	Henry Worrel Juner
Phillip M ^c Cole	jeremiah Morris
Adam Reichther [Reiter ?]	Froutz Frish
Jannir Hass [?]	Samuel Mackey
Jacob Jente(s) [?]	Benj ^a Dunkan
Adam Beyer	Michel (?) Gor
John Wells	Matthias Rhode
John Botts	Philip Hall
Gorg Beber [Beaver ?]	Isaac Hammond
Christofel Grammer	William Bentley
Thomas Wattson	Benjamin Bond
Robert Davis	John Lamars
Dungen Ogg	John Bentley
William Hobkings	Ettwert stockstell Siener
Nathaniel Davis	W ^m Winchester
Ja. ^s Irwin	Nathan Chopman
Samuel Mannon	John Durbin
John Chenoweth	Jo ^s White
Paul Gorner	Charles Howard
John Doyl	

(51)

[On this petition is endorsed:]

Handed by Daniel Bowers

[PETITIONS 35-36 WHICH FOLLOW ARE THE SAME ENGLISH
BROADSIDE FORM AS ARE PETITIONS 1-28]

No 35

[All the signatures to this petition have been torn away; the old
tabulation gives their number as 35.]

No 36

Joseph Sutton
Luke Wylie, Juner

Josias Grover

3

[Endorsement illegible. Old tabulation is 3.]

[PETITION 37 IS THE SAME ENGLISH VARIANT BROADSIDE FORM
AS PETITIONS [39]-[41]]

No 37

George Risteau
Thomas Owings
Robert ^{his}**R** _{mark} Thrap

Henry ^{his}**+** _{mark} Garken
Loveless Gorsuch

5

[*On petition is endorsed:*]

Handed η George Risteau & Benj. Rogers

[*On the back of this petition is also endorsed:*]

The Baltimore Petitions relative to the Removal of the Court House
May Session 1768

[PETITIONS [38]-[41]] WERE APPARENTLY THE LAST FOUR PETITIONS FOR REMOVAL WHICH WERE HANDED IN BY THE SOLICITORS FOR SIGNATURES. THEY BEGIN A NEW ENUMERATION AND ARE NUMBERED 1 to 4 IN A CONTEMPORARY HAND; THEY ALSO BEAR HIGHER CONTEMPORARY TABULATION FIGURES. PETITION 1[38] IS THE ENGLISH-GERMAN BROADSIDE FORM. PETITIONS 2[39]-4[41] ARE THE VARIANT ENGLISH BROADSIDE FORM (WROTH No. 285); THIS WAS DOUBTLESS A LATER ISSUE FROM THE HASSELBACH PRESS THAN THE MORE NUMEROUS ENGLISH BROADSIDE FORM (WROTH No. 286), AND WERE ISSUED WHEN ADDITIONAL PETITION FORMS WERE REQUIRED.

[*This petition is the English-German form*]

No. 1 [No. 38]

Benjamin Ogg
Henry Butler
Samson tuchstone
David Dorsey
William Naygers [?]
Wilhelm Hoban [?]
Samuel Barker
Johannes Grothaus
Thomas Redbon
John Greathous
Thomas Buckinham
Richard Cruchly

John Cooper
William Benett
Edward Hewitt
Benedick Lucas
Tho.^s Sellman
Daniel Carr
Henry Slack
William Graves [?]
John Hood, Jun.^r
Samuel Shipley Juner.
John Hood
George Shipley

James Stevens	Andro - - - ichens
George Dorsey	Jörg Ganss
Adam Shipley	Michal Ganss
Richard Barnes	Jacob Ganss
Charles Welsh	Benjamin Barley
John arnal	William Hartlegane
Benjamin Clay	Gilbirt Younger
Leven porter	Joseph Gosnell
John Holbrock	Edward Leatherwood
John Shevers	Ezekiel Evans
Thomas Shevers	Henry Young
F. ^s Davis Se. ^r	Samuell Leatherwood
Phillip Porter	thomas franklin
Joseph Linthicum	Philemon Barnes
Neall Clark	Indemion Baker Juner
Thomas Clark	John Wildman
Robert Bly	John Nelson
Jacob fradrick wagonner	Ezekiel Beavin
Nathan Todd	Mical Huff
William Ginkings	John Welker
Benjamin Knight	William Wilson of burnt
John Scholes Juner.	house woods
James Morray of Burnt-	Robart Jarden
house Woods	Lodowick Weaver
Adam Faeruber	Lenard Hobs

(72)

On the other Petitions.....	21--
N ^o 1	72
2	[12]
3	[22]
4	12
	2271 [total]

[These contemporary tabulations are much mutilated. A count of the actual signatures is somewhat less than the total 2271 given above. One or more petitions may have been lost]

[PETITIONS [39] TO [41] ARE THE SAME ENGLISH VARIANT FORM AS IS 37 (WROTH NO. 285)]

No 2 [No. 39]

Ja.^s Calder
his
Paul + Adams
mark
A. Eaglestone

Jon.^a Hanson Jun.^r
Jos.^h Bosley Jun.^r
his
Walter X Ogle
mark

^{his}
John **X** Randle
^{mark}
James Ogleby

Wm. Wyle
Tho.^s J - - -

Joshua _____

[12]

[Not endorsed]

No. 3 [No. 40]

^{his}
Michel **M** Knight
^{mark}

^{his}
George **X** Knight
^{mark}

^{his}
David **D** Knight
^{mark}

^{his}
W.^m **W** Mahann
^{mark}

Skipwith Coale
Stephen Fisher

^{his}
Wm **W** Parriss
^{mark}

Thos. Robison
William Peton
John Jones

Jo[seph] Hop - - -

Will Co - - -

Henry Purssey

Zachariah Allen

James Anderson

Thomas Goodin

James Boodin [?]

Nathan Johns

^{his}
Robert **R** West
^{mark}

^{his}
John **X** Manhaun
^{mark}

^{his}
W.^m **X** Cowen
^{mark}

Samuel M^eWillims

(22)

[On this petition is endorsed:]

The within petition handed to the subscribers by Samuel Harris

No. 4 [No. 41]

Samuel Miller
Charles Bailey
Jon.^o Adam Messel
Torrance Oboil
Alex.^r Martin
John Wilson

Philip Coale
Cha.^s Worthington Sen.
Will Clarke
Hugh Reed
Benj^a Deavers
George Gooden

(12)

[On this petition is endorsed:]

The within Petition handed to the Subscribers by Jeremiah Sheridine

*B. PETITIONS AGAINST REMOVAL OF THE
COUNTY SEAT*

[THE FOLLOWING NINE PETITIONS, ENTIRELY IN MANUSCRIPT, HAVE EACH THE SAME PHRASEOLOGY. THE TOTAL SIGNATURES NUMBER 901. THE FIRST SEVEN ARE IN THE SAME HANDWRITING; THE LAST TWO IN A DIFFERENT HAND. THEY SEEM TO HAVE BEEN FASTENED TOGETHER FOR MANY YEARS. THEY ARE NOT NUMBERED, BUT FOR CONVENIENCE ARE GIVEN ROMAN NUMBERS HERE.]

[Petition 1]

Maryland
Historical
Society

To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the Province of Maryland, and is the Honour,^{ble} the Upper and lower Houses, of Assembly of the Said Province.

The Petition of the Subscribers Inhabitants of Baltimore County for and in behalf of themselves and others.

Humbly Sheweth.

That the Court House at Joppa, is large and Commodious enough at present to Contain with Convenience all the Suitors Jurymen Witnesses and others resorting to said Court and is larger than many Court Houses in the said Province and the Offices therein large and Convenient, enough for the purpose of Transacting the Public Business.

That the said buildings being at present out of repair arises from the Interested Views of a part of the Inhabitants of said County in or near Baltimore Town who by violence at a late and former Elections have Torn damaged and Defaced the same, with a design of Destroying the same, and thereby paving a Way for a removall to Baltimore Town

That the said Court House is sorrounded on every Side with Houses in said Town and is nearly in the Center thereof and that any Malicious attempt to destroy the same will stand as fair a Chance of being Discovered timely enough to prevent the same as that of any other Court House in the Province.

That the Road leading over the Isthmus to said Town not being bad above one hundred yards in length may be made and kept good at a very Trifling Expence.

That the Goal is built with Stone and may be made as strong as any other stone House and that the Expence of inclosing a yard for the Convenience of Prisoners enjoying the Benefit of free Air & Exercise and thereby preventing Sickness among them will be attended with no more Expence at Joppa than at Baltimore Town or Else where

That the Town of Joppa is well supplied with Public Houses and Accomodations for all the Justices of the Peace and that Such Persons as depart from said Town at unseasonable Times and expose themselves to the Inclemency of the Weather chiefly chuse to do so to avoid the Expence arising from Lodging at Taverns by being entertain'd Gratis at some Neighbouring House so that the Business of said Court need not be retarded or late Meetings and early Adjournments or Sickness need not arise from that Cause,

That the most Valueable part of the Lands are on the North East side of the great Falls of Gunpowder and the most Antient settlements made there and that some sort of difference ought to be Paid to the Descendants of the first settlers of said County and the Court House and Records (towards building the Former of which they contributed the largest Proportion and the Latter of which they are more deeply Interested in than a part later settled) Ought not to be removed in Justice at a Distance to remote for them with any Convenience to resort to the same.

That your Petitioners Humbly Apprehend that the design of Instituting Courts of Justice is that every Man Injured may have a speedy Redress for the Wrong sustained at as little Expence and delay and with as much Convenience as Possible that their Situation should be the most Convenient for Jurymen Witnesses Suitors and others having Business there to resort to it and be accomodated w.th Necessaries that none but Persons blinded by there Interest would endeavour a Removall of the Court House to promote the Foreign Trade of Baltemore Town to the Prejudice of a great Number of the most Antient and first settled Inhabitants who must be dragged there from distant Habitations for the sole purpose of leaving some of their Cash at Taverns &c^a to promote the Trade of said Place which in your Petitioners Humble opinions had better be Levied on them by way of Tax to support the Trade of said Town.

That great Part of the Inhabitants from Bush River Gunpowder Neck and the Pennsylvania Line live from Thirty to Fifty Miles distants from said Town and cannot return Home till the Expiration of said Courts and that in any Controversiall Suit for £10 or under Creditors had better resign all Pretentions to the Debt than Prosecute them at such an Expence as would be Exclusive of Loss of Time Thirty shillings as least 7^p Term for bare Necessaries.

That many of the Jurors Suitors &c^a would be put to great Expence at Baltemore Town at Taverns whereas they are now near Joppa accomodated without any Expence at private Houses

That many reputable Inhabitants from a Scarcity of Cash prevailing among them and being Obligated to attend Courts at Baltemore Town and also unknown there may be put to great Distress on the Account of not being Trusted for Necessaries that this must be unavoidably the Case with poor Debtors.

That many of the reputable Inhabitants of said County will not be able to procure Special Bale at such a remote Corner of the County unless they bring their Friends and Acquaintances Forty or Fifty miles and pay their Expences going and Coming and those who cannot so Procure them at an Immense Expence must be Committed to a Loathsome Goal.

That Joppa is more Central than Baltemore Town the latter being situated at one End of the County.

That your Petitioners Humbly conceive that the Suitors being engaged at such Times in pursuit of their Private Affairs would often retard the Public Business and that Examples alledged from a Court House encreasing the Trade of a Town if true if they proved any thing would amount to this That In conveniences and Grievances of the highest Nature must be submitted to, to aggrandize and enrich a Place almost on the Verge of the County at the Expence and to the Impoverishment of all the Rest of it,

That your Petitioners Humbly conceive that Court Houses built at remote Corners of Counties thō in Towns have in every Government in America been Loudly complained of by the People aggrieved as being built for private Purposes or when Counties were small rather than for Public convenience and are so far from increasing the Foreign Trade of such Places in some Neighbouring Governments that others not having the same Advantages near them have equalled if not exceeded them in Trade and Size.

That your Petitioners Humbly conceive that the true Reason why Business is not carried on with that Dispatch at Joppa as it ought to be arises from the Multiplicity of it and that as the County now contains 8,256 Taxables it must Increase in Business so as it will be Impossible in a few Years to transact it at one Court House and thereby a Failure of Justice ensue that a Division of said County must be then unavoidably and your Petitioners therefore Humbly pray that no removall of said Court House may be enacted to take place antecedant to a Division of said County but that it may remain in its present Situation and that your Excellency and Honours will appoint a Time when your Petitioners may be heard on said Petition by their Council.

And your Petitioners as in Duty Bound will ever Pray.

[I]

Greenbury Dorsey Jun.^r
John Brickerton
John Garrettson
John Beedle Hall
George Copeland
William Bradford Ju.^r

Nathan Gallion
Asbery Cord
Thomas Brown
The mark of
John I Bott
James Stewart

Jacob Gallion
 Geo. Patterson
 Rich.^d Dallam
 Tho.^s White
 Levin Mathews
 Rich.^d Garrettson
 William Arnold [?]
 John Hall of Cr^y
 Isaac Webster
 Edward Hall
 Jn^o Paca
 James Moore
 William hill
 Sam.¹ Budd
 Rich.^d Willmott
 Andrew Lendrum
 Benj^a Wheeler
 Hugh Deans
 James Webster
 John Patterson
 James Hammond
 Jn^o Love
 Dan.¹¹ Preston
 W.^m Bradford
 Garrett Garrettson
 Mecajah Greenfield

The mark of

Henry **H G** Garland
 John Wood

The mark of

Francis **H** Garland
 Jo.^s Carvel Hall
 Aquila Nelson
 Gilbert Crockett
 Bartas Piners ?
 Gabril Swan
 Jacob Horwood
 Henry Robinson
 William Gallion
 Moses Loney

The mark of

Thomas **III** Hampson
 Tho.^s Magee
 David M'Cracken
 James Hullet

The mark of

Will.^m **A** Anderson
 William M^c Ihamy [?]
 Kent Mitchell Jun.^r
 Jo.ⁿ Day son of Edw.^d
 Aquilla Hall
 Dan.¹ Ruff
 Moses Ruth
 John Blackburn
 Phil: Henderson
 Mordica Durham
 John Jackman
 Joseph ^{his}**X** Johnson
 Sam.¹ Johnson
 Aquila Hall Junr.
 Charles Vashon
 Thomas Everitt
 John Mitchell
 James Wetherall
 John Van Cleave
 Tho.^s Mitchell
 Joseph Barns
 Samuel Thompson
 John Wilkerson
 Francis Leeshody
 Aquila Nelson
 Henery Slight
 James Gallion Ju.^r
 Alex.^r M^cComas son John
 Alex.^r Comas Jun.^r
 Walt. Tolley
 Aaron McComas
 John M^cComas son of Wm.
 Wm Andick [?]
 Robert Saunders
 John Ogden
 Charles Menagh
 Reubin Skiner
 Richard Peery
 John Toomy
 Cornelius Skiner
 John Skinner
 John Ouin

[95]

[Not endorsed]

[II]

James Phillips
 James Osborn
 James Osborn Jun.^r
 Cyrus Osborn
 Hollis Hanson
 Tho.^s Price
 Henry Rhodes
 John Lee
 George Hollandsworth
 James M'Cracken
 his
 Morriss **X** Dickson
 mark
 his
 Francis **F** Billingsley
 mark
 Alex.^a Smith
 William Smith
 Mathew Creswel
 Thomas Bryerly
 Jos: Smith Blacksmith
 Daniel Scott
 sone of James
 James Holmes
 his
 James **X** Sincler
 mark
 his
 William **X** Jones Car-
 mark penter
 his
 Rich.^d **R** Robartson Sen.^r
 mark
 Jam.^s Wetherall
 John Lynch
 Theophilus Baker
 Barsill Billingsley
 David Clark
 Joshua Dourham
 his
 Daniel **D** Duskin
 mark
 his
 John **I** Rhoads Junr
 mark
 Jacob Bond Jun.^r
 James Wilgus [?]
 George Little

James Lenegin
 [or Senegin]
 William Manley
 George Chanscy
 Gilbert Vansicklen
 Richard Vensiclan
 William Osborn
 John Hanson
 John Donavin
 Joseph Prearecatt [?]
 John Fokner
 John Hanson jun.^r
 his
 John **X** Durham Plaster
 mark
 Nathan Horner
 his
 James **X** Norress
 mark
 John Michell
 his
 John **I** Mitchal Senr
 mark
 Hugh Bay
 John Elis
 James Faris
 Ja.^s Smith Jun.^r
 his
 John **O** Callender
 mark
 Robert Callender
 Edw.^d Jackman
 Chas. Taylor
 his
 George **X** Lange
 mark
 William Grafton
 his
 John **I** Michal Sener
 mark
 Georg Caruthers
 William Murffy
 his
 John **I** Murffy
 mark
 Rob.^t Dobens
 Timothy Neve
 his
 William **W** Keen
 mark

Isaac Whitaker	William Kelley
John Chauncey	W. ^m Johnson
James Chauncey	James Little
William Hollis Junior	Abram Norriss
John Herbert	Charles Ward
Anthony Drew	David Maskembel
Michall kinnard	James Watson
Caleb Beck	Thomas Bleany
Ozwin Sutton	Hugh Haukins
Nicholas Baker	^{his} William X Deall
John Hays	^{mark}
John Hanna	Will. ^m Welsh
William Harrison	^{his} Isaac X Trotter
William Willson	^{mark}
William Hanna	Alexander Ewing
Philip Quinlan	James Smith
George Wright	William Moore
Henry Green	James Muller
Leonard Green	Thomas Hanna
Henry Cooper	John Hill
John Shinton	Roger Robarts
Walter Billingslea	Geo: Pusey
Richard Worroll	^{his} James X ———
Barnet Johnson	^{mark}
Robert Johnson	James Jones
William Johnson	Job Barns
Robert Clark	Thomas Jones Meason
William Ramsay	Ezekil Jones
^{his} Lewes P Putee	Amos Jones Archibald[?]
^{mark}	Andrew Haslet
^{his} John I Mitchel	Robert Hawkins Sen. ^r
^{mark}	Richard [Hawkins]
^{his} Henry H Jarman	William Campbell
^{mark}	[129]
^{his} John I S Swinerd	
^{mark}	

[Not endorsed]

[III]

Henery Dougherty
William Sims

John McDaid
Danual McDaid

James McNabb
 W.^m Wells
 Moses Lockerd
 Paul Wantz Senr [?]
 Christoff Benz Senr [?]
 John Renshaw
 Thos. Ruth
 Wm. Ellets
 Richard Wells Sen.^r
 Thomas Johnson
 Samuel Lockerd
 James Hutcheson
 Rich.^d James
 Manasseh finney
 James Gordon
 John McBrid
 John finney
 John Draper
 William Barnhill
 John Wineman
 And.^{reu} kinnar
 Samuel M^cChesney
 Michael Archdeakin
 Mr. John West
 Mr. Rob.^t Cooke
 Nat.^l Sims
 Ja.^s Thompson
 Andrew Wolcot [?]
 Joseph Joans
 Alexeander Murrey
 Joseph Hansen [?]
 John Muller
 Thomas Willson
 Thomas ^{his}**X** _{mark} foster
 John Lynch
 Nathan Litton
 Richard Ross
 Zachariah Allen
 John Bradford
 James Jones
 John Wilson
 William ^{his}**C** _{mark} Carroll

^{his}
 James **X** Black
^{mark}
 W.^m Coale Ju.^r
 John Beaver
 William Hopkins
 Joseph Wilson Sen.^r
^{his}
 Daniel **X** M^cdade
^{mark}
 John M^cDade
^{his}
 Tho.^s **T** Boshop
^{mark}
 Thomas Jones Mason
 Ezekiel Jones
 Amos Jones
 Alexd.^r Murey
 Ralph Sims
 William Wilkinson
 John M^cCollough Sener
 John [M^cCollough] Jun.^r
 Daniel Campbell
 Jo.^s Grimes
 Tho.^s M^c Callak
 Ja.^s Stephan
 William Wray
 Eduard Stepleton
 George Guyn
 Thomas Sims
 Walter Robison
 Daniel Campbell
 Felixe Cosgrif
 Nathan Laughlin
 Samuel Campbell
 James Fisher
 Stephen Fisher
 Garret Croeson
 William Porter
 Tho.^s Maxwall
 David Maxwall
 Jo.^s Renshaw
 James Parks
 John MontGomery
 Will^m Mont Gomery
 John M^cCall
 Benjamin Jones

Tho.^s Hawkins
James Maxwall

Rob.^t Lyons
W.^mHopkins Jun.^r

[91]

[Not endorsed]

[IV]

Benedict Wheeler
Dixson Stansbury Ju.^r
James Barton
Enoch James
Thomas Wheeler
William Armstrong
Thomas Bleakleay
Philip Calvin
Richard Robinson Jun.^r
Edward Norris
Thomas Welsh
Shepard Armstrong
Will.^m Bay
Joseph Thomas
William Bay Jun.^r
Abr.^m Whitaker
Jac: Bond
James Hodgkins
Tho.^s Simmans
James Ewing
Rob.^t Camble
Mebrel Elliott
Eduard Riley
James Elleiot
Thomas Miles Ju.^r
Th.^s Miles s of Peter
Peter Carlisle
William Robinson Jun.^r
Robert Clarke
Dan^l Thompson
John Dale
Thomas Street
Tho.^s Bussey
George Clarke
William James
Aquila MaComas
Joseph Norris
Son of Edw.^d

Alexander M^cMaster
Thomas M^cMaster
John Stro
William Stro
William Williams
Thomas Hutchins
Tho.^s Franklin
Dan^l Shaw
Bennett Busey
Thomas Miles
John Smith
Thomas T Elliott
John J Craft
Francis Gibson
John Gray
James Maddin
Jonathen Lyon
Aquilla Clark
William Norris
Asel Hichcock
Alexan.^r Thompson
James Wilson
Jn.^o Chocke
Jorshua Chocke
W.^m Everett
Saml.^l hannah
John hannah
Richr.^d Everitt
Sam.^l Everitt
Walter Rice
Rob. Amoss
Tho.^s Amos
William Ady
John Giles
Sammuel Standeford Jun.^r
William Dammit Jun.
John Standeford Son of
Sam

Peter Perine
 Charles Robinson
 ^{his}
 John I Demoss
 ^{mark}
 James Amos

Richard Hope Junor
 William Nelson
 James Hope Sener
 Daniel Tredway
 John Bryarly

[82]

[Not endorsed]

[V]

Edw.^d Garrettson
 Benj.^a Hanson
 John Henery
 Sam Kimble
 Richard Monk
 Thomas Wilson
 Edward Vann
 James Barnes
 John Kirk Patrick
 John Creighton
 Dan Hair
 Tho.^s Jones
 Gregory Barns
 Abraham Cord
 George Budd
 John Hall Hughs
 George Reed
 Peter Sullivane
 Joab Barns
 Archibald Beaty
 John Hill
 Samuel Cartey
 William parry
 Abraham banks
 Tho.^s Tredway
 Mathew McClentok
 Elihu Hall Bay
 Tho.^s Gash
 Moes Colems
 Isaac Wood Juner
 William Mitchell
 Sam.^h Webster Sen.^r
 James Seale

Francis Deacon
 Edw.^d Mitchell
 Francis Riley
 Jam.^s Taylor
 Belser Michel
 Alexander downey
 William downey
 Richard Webster
 Joseph Puntenney
 John Watkins
 edward evans
 William Loney
 John Armstrong
 John Money
 John Loney
 Patrick Smith
 James Armstrong
 Joseph Rabes
 Robart Darbe
 Samuel Webster
 James Hill son of William
 John I Ford
 Pearey X Foulter
 Kent Mitchell
 Danell D Jud
 Amos Hollis
 George Chancey Jun
 Daniel Donohue
 William Magill
 Morres X Collens
 Tho.^s Rodgers
 Thomas Miller
 Will.^m Robinson Presbury

John Deavor Joiner	Richard Thrift	
William Presbury mason	William Thomas	
William X Ralph	Thomas Mills	
Tho. ^s Presbury	Nicholis Scaff	
Tho. ^s M ^c Bride	Wm Augustus Smith	
William X Jinnings	William W Jameson	
Richard Bennett	Wm. Smith	
W. ^m Dortrige	Richard Hill	
James Thrift	George Presbury	[84]

[Not endorsed]

[VI]

Jam. ^s Richard	James Amos
William Horton	John Kidd
Billingsley Roberts	William Amoss son of
Rob. ^t Bishop	James
Jn. ^o Watters	Tho. ^s Johnson
Abraham Andrew	Barnet Johnson
John Hughston	W. ^m Buntinge
John Lusby	John Dale
William Kitley	Walter Tolley Jun. ^r
Walter James	Spence Legoe [?]
Sam. ¹ Ricketts	James Sanders
Edward Norris	John Reohds [?]
Henry Mahorney	John Twedel
Francis Green Gilpin	William Downs
Jonathan Kely	Jn. ^o Tutton
Luke Bond	Benj. ^a Howard
Andrew Hall	Lem. ¹¹ Howard
Andrew Hall Juner	Sam. ¹ Durham
William Keley	Sam. ¹ Durham Jun. ^r
Martin Preston	James Durham
Barn. ^d Clem. ^t Preston	Mordeca Durham
Walter Marton	Joshua Durham
James Marton	John Durham
Andrew Marton	David Durham
John Barnhows	Aquilla Durham
John Beale Howard	Sam. ¹ Calwell
William Debrula	John Green
Stephen Pribble	Benj. ^a Norris
John Taylor	J. Norris son of Benj. ^a
Alex. ^r Cowan	Dan Norris
Clement Lewis	James Whitaker

Isaac Whitaker	John Green
John Norris, son of Edw. ^d	Robert Travis
Edward Robinson	William Amoss
James Norris	Nathaniel Yarly
Thomas Saunders	Robert Amoss
Eduard Saunders	Simon Reine
W. ^m Gillmore	Peter Reine
Joseph Saunders	Thomas James
Joshua Saunders	John Norriss
Vinson Richardson	Benj ^a Norris son John
Benj. Richardson	Will. ^m Norris son John
Samu. ⁿ Richardson	Tho. ^s Norris son Benj
Daniel Preston	Abra ^m Norris son Benj
Benj Amoss	W. ^m Jones
Tho. ^s Richardson	Fra. ^s Billingsley
Tho ^s Richardson Juner	Jacob Bull
Aseel Hitchcock	Walter Billinsley
James Carroll	Edmund Bull
James Carroll Jun. ^r	James Munday
Peter Caroll	William Deale
James Lytle	Daniell Duskins
George Lytle	Thomas Hutchins son of
Godfrey Watters	Nickles
Henry Watters	Jos. ^a Bond
Nicholass Watters	James Amoss Juner
Stephen Watters	Benj ^a Amoss son of James
William Bull	Tho. ^s Bay
Buchler Bond	Tho. ^s Bay [,] Juner
Eduard Cripple	Lewis Dunham
John Norris son John	Daniel Treadway
Andrew Taas	Tho. ^s Tredway son of
Johns Montgomery	Daniel
John M ^c Knight	~~Mordeca Amoss~~
John Cuningham	~~John Amoss~~
William M ^c Knight	~~William McComas son~~
John Hillary	~~John~~
Patrick M ^c Cardel	~~William McComas son of~~
John Ellis	~~Dan~~
Hugh Kernachun	Dan'l McComas
Daniel Fralia	Efram Hughes
Colmer Canlee	Aaram Hughes
James Monahan	John Garrett
[— ?] [— ?]	Isaac Garrett
Patrick flanagan	Morris Bakar
John Garson	Morris Baker Juner
Robert Whitford	William Bakar Juner

Charles Bakar son of	John Bay	
Morris	Tho Rowntree	
Daniel Thomas	W. ^m S Cator	
John Howard	William Linday	[146]

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Daniel Kenly	Dan. ¹ Pritchard
John Lathim	James Pritchard
Thomas Boyle	George Botts
Reinerd Potts	Sam. ¹ Swaurt
Mich: Gilbert	Ritchard Spencer
Ja. ^s Sparold	Dan. ¹ Reece
William Brickell	Parker Gilbert
Abraham Guyton	Jn ^o Gallion
P. Gaddis	Jeremiah Cook
Thomas Kennedy	John Hall (Swan Town)
William Beton	John Henry
Matt. ^w Sweeny	Abraham Robinson
James Fitzsimons	John Robinson
Robert Cuninghame	Isaac Robinson
George Steuart	Charles Gilbert
Tho. ^s Harris Jun ^r	John Rodgers
Mathew M ^c Clentok	Jacob Giles
William Semple	Gilbert Donahue
Benjamin Culver	Amos Cord
Robert Culver	John Hall
Edward Ramsey	Jn. ^o Mathews
Wm. Horton	John, Lee, Webster
Henry Knight	James Mather
Robt Mega Jr. ?	Joseph Gibbens
Isaac Umbel	William Ford
John Umbel	Benjamin Scott
John Megay	Andrew Tate
James Horner	John Twadel
William Mekem	^{his} Robert X Scott
^{his} Enuck W West	^{mark} Robert Scott [,] Junur
^{mark} James Pritchard	Thomas Mills
David Sweeney J. ^r	Thomas Strong
Rawland Sheneer	^{his} Tho. ^s T Downs
John Litten	^{mark}
Tho. ^s Durbin	

his
 Samuel S Smith
 mark
 Elijah Beck
 Charles Beck
 Tho.^s Durben

Samuel Griffeth
 Alex.^r M^cComas
 Sol.^m M^cComas
 John M^cComas Son Dan.¹

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[VIII]

William Wilson Ju.^r
 Jn^o Browne Sadler
 Aquila Duley
 William Boardsman
 John Willmott
 John Gardner
 John I M^cGay
 Samel Gallion
 Clothworthy Cuninghame
 Joseph Stiles
 James Mathews
 Thomas T Smithson
 Edwd. Ward Jun.
 James Kennedy
 Jn.^o M^cLane
 Thomas Wilson
 James I Gallion Sen.^r
 Alexander Hanna
 John Cretin
 Samalt Welborn
 David Durham
 Henry Ruff
 John Bennet
 Peter Bennet
 Joseph Buley
 Daniel Carlin
 John Lusby
 Benj Green
 Benj.^a Thomas
 Will.^m Hollis
 Grafton Preston
 Tho.^s Bond
 Aq.¹ Paca

Gerrard Hopkins
 William Johnson
 Wm Webb
 Josias W.^m Dallam
 David Davis
 Fran.^s Holland
 James X Quinlin
 dines Cain
 James M^cCermak
 Thos. Ross
 Charles Vashon
 James Dickson
 Benadict Legoe
 William Scott
 Nath.¹ Smith
 Francis Leeshody
 Thomas Hill
 Henry M^cBride
 Arch^d I Johnson
 John I Johnson
 Ralph Smith
 James Yoe
 Robert Stephenson
 Samll X Smith
 Jonathan Starkey
 W.^m Bond
 George Knott^s mark
 Ephraim Knott^s mark
 Solomon Brown
 Ralph Smith Juner
 Henry Smith
 John Moore

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[This petition of sixty five names is endorsed on the back:]

By the Upper House of Assembly 6th June, 1768. Read & referred
 to the Consideration of the Lower House of Assembly.

Signed by Order U. Scott Cl. Up. Ho.

[IX]

James Simms
 John Jolley
 Tho.^s West
 W.^m Morgan
 Samuel Jenkins
 Francis Jenkins
 James Fisher
 Edward Reily
 Josiah Lee
 James Rigbie
 Joseph Brawnly
 James hinds
 Samuel Forwood
 Rob^t Dunn
 Alex^r Clay
 Rob^t Bryarly
 Edmund Ball
 William M^cClure
 Samul Webb Juner
 James Major
 Cha^s Sims
 Jonathan Jones Smith
 Willi.^m Fisher
 Tho.^s Wheeler
 Tho.^s Archer
 Ignatius Wheelor
 W.^m Husband
 John Forwood
 W^m fforwood
 Sam.¹ Lee
 Edw.^d Morgan
 Robert Crawford
 John Worthington
 Joseph Waters
 Sam.¹ Litten
 N. Rigbie
 Jo.^s Wilson Jun^r
 James Wilson
 Robert Tarbert
 Henery Croft
 John M^cFadin
 John Scarrel
 Josias Scott
 Ja.^s M^cCandlee
 William Clake

John Morgan
 Patrick Quigley
 John Glan [?]
 John Jones
 Sam.¹ Wilson
 W.m Bennington
 Robert Elder
 Thomas Jones
 Will.^m Fisher Jun.^r
 Joseph Hopkins Sen^r
 Jo^s Hopkins Jun^r
 Samuel Hopkins
 Phelix ^{his} X _{mark} Donnoly
 francis Donnelly
 James Cain
 Benj Wheeler
 Josias Wheeler
 John Thompson
 Edward Prigg
 Jesse Foster
 James Billingsley
 Samuel Forwood
 Joseph forwood
 James Death
 John M^cCulloch
 John Bull
 Alex.^r Rigdon
 Thos. Baker Rigdon
 Richard Lyon
 Sam.¹ Webb
 Zacaris ^{his} Z _{mark} Spencer
 John oniel
 Patrick fowler
 James ^{his} I _{mark} Martin
 Abraham ^{his} A _{mark} Johnson
 Fran.^s Neill
 Matthew M^cClure
 John Wilson
 Barnard Preston

Richard Kroesen	Gershin Silver
James Walker	William Wilson
John Smith	Sam. ¹ Wilson
John Hast [?]	William Wilson Juner
David Bartley	^{his}
Isaack Umbul	Joseph ^I Jonston
James Litten	^{mark}
Henry Bath [?]	^{his}
John Umbel	Robert ^R Jeffery
Robart Bradin	^{mark}
John Kroesen	^{his}
Nichlas Kroesen	Henry ^D Dunkin
Robart Mils	^{mark}
Tho ^s Harris	John Harris
Samuel Shaw	Buchanan Smith
^{his}	Jn. ^o Redick
Simon ^S Dennie	Samuel Jeffery
^{mark}	^{his}
^{his}	Valliant ^V Nettenfeild
James ^J Death Sen ^r	^{mark}
^{mark}	Jn ^o Nelson
Edward Death	W. ^m Smithson
Ephriam Gover	^{his}
Sam. ¹¹ Bayles	W. ^m ^X Richardson
Benja. ⁿ Bayles	^{mark} Son Th
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David Berry	

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